بلوغ المرام
من أدلة الأحكام

Bulugh Al-Maram

Attainment of the Objective according to Evidence of the Ordinances

Compiled by:

العلامه الحافظ ابن حجر العسقلاني رحمه الله

Al-Hafiz Ibn Hajar Al-Asqalani

With Brief Notes from the Book

Subul-us-Salam

written by:

Muhammad bin Ismail As-Sanani

DARUSSALAM
A MULTILINGUAL INTL. PUBLISHING HOUSE
Riyadh, Houston, New York, London, Lahore

بلوغ المرام

من أدلة الأحكام

Bulugh Al-Maram

Attainment of the Objective
according to Evidence
of the Ordinances

Compiled by:
Al-Hafiz Ibn Hajar Al-Asqalani
With Brief Notes from the Book
Subul-us-Salam

Written by:
Muhammad bin Ismail As-Sanani

Published by:

DARUSSALAM

Publishers & Distributors
Riyadh, Saudi Arabia

Second Edition: September 2002

Supervised by:
ABDUL MALIK MUJAHID

Headquarters:

P.O. Box: 22743, Riyadh 11416, KSA
Tel: 00966-1-4033962/4043432
Fax: 00966-1-4021659
E-mail: darussalam@naseej.com.sa
Website: http://www.dar-us-salam.com
Bookshop: Tel: 00966-1-4614483
Fax: 00966-1-4644945

Branches & Agents:

K.S.A.
- Jeddah: Tel & Fax: 00966-2-6807752
- Al-Khobar: Tel: 00966-3-8692900
  Fax: 00966-3-8691551

U.A.E.
- Tel: 00971-6-5632623 Fax: 5632624

PAKISTAN
- 50-Lower Mall, Lahore
  Tel: 0092-42-7240024 Fax: 7354072
- Rahman Market, Ghazni Street
  Urdu Bazar, Lahore
  Tel: 0092-42-7120054 Fax: 7320703

U.S.A.
- Houston: P.O. Box: 79194 Tx 77279
  Tel: 001-713-722 0419
  Fax: 001-713-722 0431
  E-mail: sales @ dar-us-salam.com
  Website: http:// www.dar-us-salam.com
- New York: 572 Atlantic Ave, Brooklyn
  New York-11217, Tel: 001-718-625 5925

U.K.
- London: Darussalam International Publications Ltd., 226 High Street, Walthamstow, London E17 7JH U.K.
  Tel: 0044-208 520 2666
  Mobile: 0044-794 730 6706
  Fax: 0044-208 521 7645
- Darussalam International Publications Limited
  Regent Park Mosque, 146 Park Road, London NW8 7RG,
  Tel: 0044-207 724 3363

FRANCE
- Editions & Libairie Essalam
  135, Bd de Ménilmontant 75011 Paris (France)
  Tél: 01 43 381956/4483 - Fax 01 43 574431
  Website: http: www.Essalam.com
  E-mail: essalam@essalam.com

AUSTRALIA
- Lakemba NSW: ICIS: Ground Floor
  165-171, Haldon St.
  Tel: (61-2) 9758 4040 Fax: 9758 4030

MALAYSIA
- E&D BOOKS SDN. BHD.
  321 B 3rd Floor, Suria Klcc,
  Kuala Lumpur City Center 50088
  Tel: 00603-216 63433 Fax: 459 72032

SINGAPORE
- Muslim Converts Association of Singapore
  Singapore-424484
  Tel: 0065-440 6924, 348 8344
  Fax: 440 6724

SRILANKA
- Darul Kitab 6, Nimal Road, Colombo-4
  Tel: 0094-1-589 038 Fax: 0094-74 722433

KUWAIT
- Islam Presentation Committee
  Enlightenment Book Shop, P.O. Box: 1613
  Safat 13017 Kuwait
  Tel: 00965-244 7526 Fax: 240 0057

INDIA
- Islamic Dimensions
  56/58 Tandel Street (North)
  Dongri, Mumbai 4000 009, India
  Tel: 0091-22-3736875, Fax: Fax: 3730689
  E-mail: sales@IRF.net

SOUTH AFRICA
- Islamic Da'wah Movement (IDM)
  48009 Qualbert 4078 Durban, South Africa
  Tel: 0027-31-304-6883, Fax: 0027-31-305-1292
  E-mail: idm@ion.co.za

CONTENTS

THE AUTHOR'S BIOGRAPHY

The full name of the famous Imam Al-Hāfiz Ibn Hajar Al-'Asqalāni is Abul-Fadl, Shihābuddin Ahmad bin 'Ali bin Muhammad bin Muhammad bin Ahmad Al-Kināni Ash-Shāfi'i. Ibn Hajar Al-'Asqalāni was born on the 10th of Sha'bān, 773 H. in Egypt, where he grew up also. He memorized the Qur'ān at the age of nine years. He also memorized *Al-Hāwi*, the book *Mukhtasar* of Ibn Al-Hajib, and other books. He traveled to Makkah and listened to the teaching of its *'Ulama*. He admired the knowledge of *Hadith* and began to acquire it from the great Shaykhs in Hijāz, Ash-Shām, Egypt and stayed with Az-Zain Al-'Irāqi for ten years. He also studied under Al-Balqini, Ibn Al-Mulaqqin and others. Many eminent Shaykhs of his time approved his knowledge and allowed him to give religious verdicts and teach.

He had learned the two sources (Qur'ān and *Hadith*) from Al-'Izz bin Jamā'a, the language from Al-Majd Al-Fairuzabādi, the Arabic from Al-'Amāri, literature and poetry from Al-Badr Al-Mushtaki and writing from a group of professors. He also recited some parts of the Qur'ān in all the seven styles of recitation before At-Tanukhi.

He occupied himself with the promotion of the knowledge of *Hadith*, so he dwelt in its study, teaching, writing and giving *Fatawa* (religious verdicts). He also taught *Tafsīr* (interpretation of the Qur'ān), *Hadith*, *Fiqh* (jurisprudence) and preached at many places like Al-Azhar, Jāmi' 'Amr and others. He also dictated to his students from his memory. Many highly educated people and distinguished scholars traveled to him to acquire from his vast knowledge.

Ibn Hajar Al-'Asqalāni authored more than 150 books – most of them being in the studies of *Hadith* – which flourished during his lifetime, and the kings and princes exchanged them as gifts. His book most worthy of mentioning is *Fath Al-Bāri* – the commentary of *Sahih Al-Bukhāri*, which he started in the beginning of 817 H., after finishing its introductory part in 813 H., and completed the whole commentary in Rajab 842 H. After the completion of the commentary, he had a gathering attended by the Muslim dignitaries and spent 500 Dinar on it. Then some kings requested it and paid 300 Dinar.

Ibn Hajar became the *Qādi* of Egypt, and then Ash-Shām was also added to his jurisdiction which he held for more than twenty-one years. He was against holding the office of the *Qādi* at first, until the Sultan assigned to him a special case. Then, he accepted to represent Al-Balqini, when he begged him very much to preside for him as *Qādi*. Then, he presided for others until he was assigned to hold the office of Chief *Qādi* on 12 Muharram, 827 H. He then left, but had to take the office of the Chief *Qādi* seven times until he left

it finally in 852 H. which is the year in which he died.

As concerns his personality, Al-'Asqalāni was humble, tolerant, patient and enduring. He was also described as being steadfast, prudent, ascetic, selfless, generous, charitable and a person praying and fasting voluntarily. On the other hand, he was said to be used to making light jokes and telling of humorous anecdotes. He also had good manners in dealing with all the Imams, of the earlier generations and later generations, and with all those who sat with him, whether old or young.

Ibn Hajar died after the *'Isbā* prayer on Saturday, 8th Dhul-Hijja, 852 H. May Allah reward him generously.

INTRODUCTION

Praise is to Allah for his apparent and concealed bounties at all times, and peace and blessings be upon His Prophet and Messenger Muhammad, his family and companions who strove steadfastly in the path of serving Allah's religion, and their followers who inherited the knowledge – for the *'Ulama* are the heirs of the Prophets – and may they be honored, whether they be *Wārith* (those who inherit) or *Mawrūth* (those who are inherited from).

To proceed; this is a concise book comprising the *Hadith* evidence sources of the *Shariah* Rulings, which I have compiled meticulously, so that the one who memorizes it excels among his peers, it may assist the beginner student and the learned one seeking more knowledge may find it indispensable.

I have indicated at the end of every *Hadith* the Imām who collected it, in order to be honest to the (Muslim) *Ummah*. Therefore, *As-Sab'a* (the Seven) stands for Ahmad, Al-Bukhāri, Muslim, Abu Dā'ud, An-Nasā'i, At-Tirmidhi and Ibn Mājah. *As-Sitta* (the Six)[1] stands for the rest excluding Ahmad. *Al-Khamsa* (the Five)[2] stands for the rest except Al-Bukhāri and Muslim, or I may say *Al-Arba'a* (the Four)[3] and Ahmad. I mean by *Al-Arba'a* (the Four) all except the first three (i.e. Ahmad, Al-Bukhāri and Muslim), and by *Ath-Thalātha* (the Three)[4] I mean all except the first three and the last one. I mean by *Al-Muttafaq 'alaih* (the Agreed upon)[5] Al-Bukhāri and Muslim, and I might not mention with them anyone else; and whatever is besides these (seven collectors) is clear [i.e. clearly mentioned by name].

I have named it (this book) ***Bulūgh Al-Marām min Adillat Al-Ahkām*** (Attainment of the Objective according to Evidence of the Ordinances); and I pray to Allah not to render, what we have learned, a calamity against us; but may He guide us to act according to what pleases Him – the Glorified and Exalted One.

[1] By Six he means: Al-Bukhāri, Muslim, Abu Dā'ud, An-Nasā'i, At-Tirmidhi and Ibn Mājah.

[2] By Five he means: Ahmad, Abu Dā'ud, An-Nasā'i, At-Tirmidhi and Ibn Mājah.

[3] By Four he means: Abu Dā'ud, An-Nasā'i, At-Tirmidhi, and Ibn Mājah.

[4] By Three he means: Abu Dā'ud, An-Nasā'i and At-Tirmidhi.

[5] By 'the Agreed upon' he means: *Ahadith* accepted and agreed to by both Imam Bukhāri and Imam Muslim.

The Most reliable *Hadith* is that one which has been narrated by Bukhāri and Muslim. Secondly is the *Hadith* which has been narrated only by Bukhāri. Third in reliability is that which has been narrated by Muslim alone. *Ahadith* narrated by An-Nasā'i, At-Tirmidhi, Abu Dā'ud, Ibn Mājah and Muwatta' of Imām Mālik are graded thereafter in the line of reliability, and then comes the place of *Ahadith* mentioned in other books. This established order of reliability should be followed where there is a contention.

A NOTE FROM THE PUBLISHER

In line with our main object of propagating the pure teachings of Qur'ān and ***Sunnah***, we are presenting the English translation of the book ***Bulugh Al-Marām*** based upon the ***Ahadith*** of our Prophet ﷺ. There are many authentic books of ***Ahadith***, in all of these collections, ***Bulugh Al-Marām*** holds a distinction in the respect that it is based on such ***Ahadith*** of the Prophet ﷺ which have been the sources of Islamic Jurisprudence. Allama Hafiz Ibn Hajar Asqalāni has also recorded the true significance of almost each ***Hadīth***, thus making it more valuable and useful in many respects. He has also mentioned the origins of the ***Ahadith*** and made a comparison of the versions in case the sources are more than one. One more distinctive feature, along with others, is that the versions have also been shortened to present just the main purpose of the ***Hadīth*** according to its classification under the chapter. Because of these preferential qualities, ***Bulugh Al-Marām*** has been accepted widely and is among the most sought-after books of ***Ahadith***.

We hope that like its other translations, this English translation will also acclaim popularity and people will get benefited from it.

We want to point out that the publishing of Islamic books in non-Arabic language is not an easy task as it needs a colossal work and a great deal so that it can be saved from lingual, creedal and methodical errors.

All praise is due to Allah that all of us in Darussalam have great enthusiasm regarding the propagation of the teachings of Qur'ān and ***Sunnah***. The members of Darussalam put their each and every effort and worked very hard all year round to present this book in such a good form. I am thankful to Allah that the task has been completed in the desired way with His help only.

My gratitudes and thanks are for the members of the team who provided their great efforts and fulfilled their tasks assigned to them in computerization, editing, compilation and correction of manuscripts:

I ask Allah عزوجل to accept this humble task from us, which we have done purely for His pleasure and put it in the balances of all those who participated in this presentation.

Finally, we should admit that being a human task, it may be that any mistake in composing or translation has been overlooked so if any mistake is observed by any reader, it should be sent to us for correction in the next edition. We will be thankful for any such correction indicated.

May peace and blessings of Allah be upon our Prophet Muhammad, his family, Companions and all who follow him.

Abdul Malik Mujahid
General Manager
Darussalam Publications,
Riyadh, Saudi Arabia

BRIEF BIOGRAPHIES OF THE EMINENT *IMAMS* OF *HADITH* WHOSE NAMES ARE MENTIONED IN THIS BOOK THE SEVEN GREAT *IMAMS* OF *HADITH*

1. AHMAD (Ibn Hanbal):

He is Abu 'Abdullah, Ahmad bin Muhammad bin Hanbal Ash-Shaibāni, known by the name Ibn Hanbal. He was a celebrated theologian, jurist and a *Hadith* scholar. He is also one of the four *Fiqh Imāms* and the founder of what later came to be known as *Madhhab Al-Hanbaliya* (The Hanbal's juristic school).

Ahmad was born at Baghdad in Rabi'-ul-Awwal, 164 H. He studied the *Hadith* and *Fiqh* together with other Islamic disciplines in Baghdad, then traveled to Ash-Shām and Hijāz for further studies. He was persecuted during the rule of Al-Mā'mūn bin Hārun Ar-Rashid for refusing to acknowledge the *Bid'a* of claiming 'the creation of the Qur'ān' introduced by the *Mu'tazila*. He, however, stood firm against all the trials and saved the *Sunnah* from the innovation of the wretched *Mu'tazila* thoughts. He was the mostly persecuted and most firm amongst all the *Imāms*. He is most famous for collecting the *Ahadith* of the Prophet ﷺ compiled in the *Musnad Ahmad bin Hanbal*, which contains 28 to 29 thousand *Ahadith*. It was said that Ibn Hanbal memorized one million *Ahadith*.

Ibn Hanbal died in Baghdad on Friday, 12 Rabi'-ul-Awwal 241 H.

2. AL-BUKHARI, Muhammad bin Isma'il:

He is the *Amir-ul-Mu'minīn* in the knowledge of *Hadith*, and his full name is Abu 'Abdullah, Muhammad bin Ismā'il bin Ibrāhim bin Al-Mughira bin Bardizbah Al-Ju'fi Al-Bukhāri. He was born in Shawwāl 194 H. in Bukhāra in what is now Uzbekistan. Al-Bukhāri studied *Ahadith* at an early age and traveled widely around the Muslim world collecting *Ahadith* and compiled the most authentic ones in his book *Al-Jāmi' As-Sahih*, which later became known as *Sahih Al-Bukhāri* and contains 2602 *Ahadith* which he selected from the thousands of *Ahadith* that he had memorized.

Al-Bukhāri studied under many famous *Hadith Imams* like 'Ali bin Al-Madini and Yahya bin Ma'in. He died in Samarqand, the present day capital of Uzbekistan[1] , the night of *'Eid-ul-Fitr*, 256 H. Al-Bukhāri was unique in the science of the methodology of *Hadith* and his book *Al-Jāmi' As-Sahih* is considered to be the most authentic book after the Qur'ān.

3. MUSLIM bin Hajjaj:

Muslim's full name is Muslim bin Al-Hajjāj Al-Qushairi An-Nishapuri. He was born in 204 H., in the city of Nishapur near the city of Mashhad in present Iran. Muslim is considered second only to Al-Bukhāri in the science of the methodology of *Hadith*. He started the study of *Hadith* at an early age and

[1] Nowadays the capital is Tashkent.

traveled to 'Iraq, Hijāz, Ash-Shām and Egypt and studied under the scholars of *Hadith* at that time like Al-Bukhāri, Ahmad bin Hanbal and Ibn Abu Shaiba. He also taught the famous *Hadith* scholars like At-Tirmidhi and Ibn Abu Hātim.

Muslim compiled the *Hadith* book *Al-Musnad As-Sahih*, which became known as *Sahih Muslim*. This book, which is considered by the Muslim *'Ulama* as the second most authentic *Hadith* book after *Al-Bukhāri*, contains 9,200 *Ahadith*. Imam Muslim died at his birthplace in Rajab 261 H.

4. ABU DA'UD, Sulaiman bin Al-Ash'ath:

Abu Dā'ud, Sulaimān bin Al-Ash'ath bin Ishāq Al-Azdi As-Sijistāni, who was one of the eminent *Imāms* of *Hadith*, was born in 202 H. He studied *Ahadith* under Imām Ahmad bin Hanbal along with Al-Būkhari and taught many of the later scholars of *Hadith*, like At-Tirmidhi and An-Nasā'i.

Though Abu Dā'ud collected 500,000 *Ahadith*, he only compiled 4,800 *Ahadith* in his book entitled *As-Sunan*, which he taught in Baghdad and other major cities at that time. He died at Basra on Friday in the month of Shawwāl 275 H.

5. AT-TIRMIDHI, Abu 'Isa Muhammad bin 'Isa:

Abu 'Isa, Muhammad bin 'Isa bin Sura At-Tirmidhi was born in 209 H. in a town called Tirmidh in Uzbekistan near the northern border of Afghanistan.

He was a student of Al-Bukhāri, and compiled 4,000 *Ahadith* in his book called *Al-Jāmi'* which later came to be known as *Sunan At-Tirmidhi*. He also contributed tremendously to the methodology of *Hadith* and composed a book on it called *Al-'Ilal* (the discrepancies). He was famous for his piousness and asceticism. He became blind and finally died on 13 Rajab 279 H.

6. AN-NASA'I, Abu 'Abdur-Rahman Ahmad bin Shu'aib:

Abu 'Abdur-Rahmān, Ahmad bin 'Ali bin Shu'aib bin 'Ali Al-Hāfiz was born in 215 H. in Nisa', a city in Khurāsan. He became famous for the study of the methodology of *Hadith*, memorizing and mastering it. His book known as *Sunan An-Nasā'i* is third to *Sahih Al-Bukhāri* in terms of containing the least weak *Ahadith*. He lived in Egypt then moved to Damascus, Syria and died in Makkah in the year 303 H.

7. IBN MAJAH, Muhammad bin Yazid:

Abu 'Abdullah, Muhammad bin Yazid bin Mājah Al-Qizwini was born in 207 H. He studied under many scholars of Hadith, and many people narrated *Ahadith* from him. He was one of the eminent scholars of *Hadith*, but his *Sunan* contains many weak and even *Munkar Ahadīth*. Ibn Mājah died in Ramadān in 273 H.

OTHER *HADITH* SCHOLARS

8. IBN RAHUWAIH, Ishaq bin Ibrahim:

Abu Ya'qub, Ishāq bin Ibrāhim At-Tamimi Al-Hanzali Al-Marwazi was an eminent and great *Hāfiz*, who was a resident and the *'Aalim* of Nishapur. He

was also considered as the *Shaykh* of the east of his time and was known as Ibn Rāhuwaih. Imām Ahmad said, "I don't know an *'Aalim* equal to Ishaq in Iraq. Abu Zar'a said, "There was nobody so good at memorizing the *Hadith* than Ishāq." Abu Hātim said, "His mastery (of the *Hadith*), accuracy and memorization were very surprising."

Ibn Rāhuwaih was born in the year 166 H. or 161 H. and died on 15th Sha'bān 238 H.

9. AL-ISMA'ILI, Ahmad bin Ibrahim:

Abu Bakr, Ahmad bin Ibrāhim bin Ismā'il bin Al-'Abbās Al-Ismā'ili Al-Jurjāni was born in 277 H. He was considered as an *Imām* and a *Hāfiz,* and was given the title *Shaykh-ul-Islam* due to his wide knowledge and because he was the leader of the *Shāfi'iya Madhhab* in his region.

10. AL-BAZZAR, Ahmad bin 'Amr:

Abu Bakr, Ahmad bin 'Amr bin 'Abdul-Khāliq Al-Basri was one of the eminent and learned *Hadith* scholars who had attained the rank of *Hāfiz* in the memorization of *Hadith*. He authored two books on *Hadith* which are *Al-Musnad Al-Kabir* and *Al-'Ilal.* He studied under At-Tabarāni and others. Al-Bazzār died in 292 H.

11. AL-BAIHAQI, Ahmad bin Al-Husain:

Abu Bakr, Ahmad bin Al-Husain was born in Sha'bān in the year 374 H. He was considered a learned *Hāfiz* among the eminent *Imāms* of *Hadith* and a scholar of jurisprudence, specializing in *Ash-Shāfi'i Madhhab*. He wrote many books like *As-Sunan Al-Kubra* and *As-Sunan As-Sughra*. Adh-Dhahabi said, "His books exceed one thousand volumes." Al-Baihaq, which he is named after, is a town near Nishapur. Al-Baihaqi died in 458 H.

12. ABU HATIM AR-RAZI, Muhammad bin Idris:

Abu Hātim, Muhammad bin Idris bin Al-Mundhir Al-Hanzali Ar-Rāzi was born in the year 195 H. He was an eminent *Hāfiz* and an *Imām* and one of the prominent scholars who excelled in the methodology of *Hadith*. He was also one of the most respected scholars in the knowledge *Al-Jarh wat-Ta'dil* (verifying the reliability and unreliability of the narrators of the *Hadith*).

13. IBN AL-JARUD, 'Abdullah bin 'Ali:

Abu Muhammad, 'Abdullah bin 'Ali bin Al-Jārud An-Nishapuri, who lived near Makkah, was an *Imām* and a *Hāfiz* who was among those *'Ulama* who mastered the recitation of the Qur'ān. He authored *Al-Muntaqa fil-Ahkām* and was among the pious *'Ulama* of his time. Ibn Al-Jārud died in 307 H.

14. AL-HARITH bin Abu Usama:

Imam Abu Muhammad, Al-Hārith bin Abu Usāma Muhammad bin Dāhir At-Tamimi Al-Baghdadi was a *Hāfiz* and authored *Al-Musnad* which he did not arrange. Ibrāhim Al-Harbi and Abu Hātim verified him as reliable, and Ad-Dāraqutni said, "He is truthful." Al-Hārith was born in 186 H. and died on the Day of *'Arafa* 282 H.

15. AL-HAKIM, Abu Abdullah:

Abu 'Abdullah, Muhammad bin 'Abdullah An-Nishapuri Al-Hākim known as Ibn Al-Baiyi' was born in 321 H. He was a celebrated *Imām* in the verification of *Hadith*. He authored *Al-Mustadrak*. It is said that he studied under one thousand professors and authored some valuable books. Al-Hākim was pious and religious. He died in Safar 405 H.

16. IBN HIBBAN, Abu Hatim Ibn Hibban:

Abu Hātim, Muhammad bin Hibbān bin Ahmad bin Hibbān Al-Busti was born in Bust in Sijistan. He was one of the celebrities in the knowledge of *Hadith*, pious, *Faqih*, learned and one of the students of Ibn Khuzaima. He died in Samarqand in 354 H., while in his eighties.

17. IBN KHUZAIMA, Muhammad bin Ishaq:

Ibn Khuzaima, Muhammad bin Ishāq was born in 223 H. in Nishapur. He was considered as a *Shaykh-ul-Islam* (the most learned *'Aalim* of Islam) and one of the eminent and senior *Hāfiz*. He was the *Imām* and *Hāfiz* of Khurasan during his time. He also authored more than 140 books. Ibn Khuzaima died in Nishapur in 311 H.

18. IBN ABU KHAYTHAMA:

Abu Bakr, Ahmad bin Abu Khaythama Zuhair bin Harb An-Nasā'i Al-Baghdadi was a celebrated *Imām*, *Hāfiz* and an authority. He authored *At-Tarikh Al-Kabir*. Ad-Dāraqutni said about him, "He was reliable and trustworthy." Al-Khatib said, "He was reliable *'Aalim* (learned), accurate *Hafiz*, knowledgeable in the history of people, and the narration of poetry." He studied *Ahadith* under Ahmad bin Hanbal and Ibn Ma'īn. Ibn Abu Khaythama died in Jumada-ul-Ula 289 H., at the age of 94 years.

19. AD-DARAQUTNI, 'Ali bin 'Umar:

Abul-Hasan, 'Ali bin 'Umar bin Ahmad bin Mahdi Al-Baghdadi. He was nicknamed after a big store called Dār Al-Qutn in Baghdad. He was a great *Hāfiz* and a unique *Imām* who was born in the year 306 H. He was the authority in the methodology of *Hadith*, the knowledge of the weaknesses of the *Hadith* narrations and names of the *Hadith* narrators of his time. Ad-Dāraqutni died on 8th Dhul-Qa'da 385 H.

20. AD-DARIMI, 'Abdullah bin 'Abdur-Rahman:

Abu Muhammad, 'Abdullah bin 'Abdur-Rahmān bin Al-Fadl bin Bahrām At-Tamimi Ad-Dārimi As-Samarqandi was born in the year 181 H. He was a celebrated *Imām*, *Hāfiz* and *Shaykh-ul-Islam* of Samarqand and the author of *Al-Musnad Al-'Aali*. He heard *Ahadith* at Al-Haramain, Khurasān, Ash-Shām, Iraq and Egypt. Muslim, Abu Da'ūd, At-Tirmidhi, An-Nasā'i and others transmitted *Ahadith* from him. He was described to be very intelligent and very virtuous and was considered to be an exemplary person in piousness, patience, hard work, worship and abstinence. Ad-Dārimi died on 8th Dhul-Hijja 255 H.

21. ABU DA'UD, Sulaiman bin Da'ud At-Tayalisi:

Sulaimān bin Dā'ud bin Al-Jārud Al-Basri was a Persian by origin and the freed slave of Az-Zubair. He was a great *Hāfiz* and one of the eminent *'Ulama*. Al-Qallās and Ibn Al-Madini both said about him, "I have not seen anyone who is more versed with the *Hadith* than him." Ibn Mahdi said, "He is a most truthful person." He recorded *Ahadith* from more than one thousand *Shaykhs*. Abu Dā'ud died in the year 204 H. while in his eighties.

22. IBN ABU AD-DUNYA, 'Abdullah bin Muhammad bin 'Ubaid:

Abu Bakr, 'Abdullah bin Muhammad bin 'Ubaid bin Sufyān bin Abu Ad-Dunya Al-Qurashi Al-Baghdadi, the freed slave of Banu Umaiya, was born in 208 H. He was a *Muhaddith* and truthful *'Aalim*. He wrote some books and educated more than one of the caliphs' sons like Al-Mu'tadid. Ibn Abu Ad-Dunya died in Jumāda Al-Ūla, 281 H.

23. ADH-DHUHLI, Muhammad bin Yahya:

Abu 'Abdullah, Muhammad bin Yahya bin 'Abdullah bin Khālid bin Fāris, the freed slave of Banu Dhuhl was born in 170 of the Hijra. He was a *Shaykh-ul-Islam* and *Amīr-ul-Mu'minin* in the knowledge of *Hadith* and the *Hāfiz* of Nishapur. He acquired *Ahadith* from many professors in Al-Haramain, Ash-Shām, Egypt, Iraq, Ar-Ray, Khurasān, Yemen and Al-Jazira and became very competent in this field and became the authority of knowledge in Khurasān. Ahmad said, "I never saw anyone who knows the *Ahadith* of Az-Zuhri from Muhammad bin Yahya more than Adh-Dhuhli. He died in Rabī'-ul-Awwal, 258 H.

24. ABU ZUR'A AR-RAZI, 'Ubaidullah bin Abdul-Karim:

'Ubaidullah bin 'Abdul-Karim bin Yazid bin Faroukh, Abu Zur'a Ar-Rāzi Al-Qurashi by clientship was a *Hāfiz* and an eminent scholar of the *Hadith*. He was also considered among the *Imāms* of *'Al-Jarh wat-Ta'dil* (the critical study of the *Hadīth* narrators). Muslim, At-Tirmidhi, An-Nasā'i, Ibn Mājah and others narrated *Ahadith* from him. Adh-Dhahabi said, "Many people heard *Ahadith* from him in Al-Haramain, 'Iraq, Ash-Shām, Al-Jazira, Khurasan, and Egypt." He was also well acclaimed for his memorization, brightness, piousness, sincerity, knowledge and the good application of his knowledge. Abu Zur'a Ar-Rāzi died towards the end of 264 H. at the age of 64 years.

25. IBN AS-SAKAN, Sa'id bin 'Uthman:

Abu 'Ali Sa'id bin As-Sakan Al-Baghdadi was born in 294 H. He was a celebrated *Hāfiz* and an authoritative *Imām*. He paid much attention to the study of *Hadith*, and collected and wrote books on *Ahadith*, thus becoming very famous in this field. Ibn As-Sakan died in the year 353 H.

26. SA'ID bin Mansur:

Sa'id bin Mansur bin Shu'ba Al-Marwazi or At-Tāliqāni then Al-Balkhi lived

near Makkah. He authored the book *As-Sunan*. Ahmad bin Hanbal praised him immensely. Harb Al-Karmāni said, "He (Sa'id) dictated to me about ten thousand *Ahadith* from his memory." Sa'id bin Mansur died in Makkah in Ramadān 227 H. while in his nineties.

27. ASH-SHAFI'I, Muhammad bin Idris:

Abu 'Abdullah, Muhammad bin Idris bin Al-'Abbās bin 'Uthmān bin Shāfi' bin As-Sā'ib bin 'Ubaid bin 'Abd Yazid bin Hāshim bin 'Abdul-Muttalib bin 'Abd Manāf Al-Qurashi Al-Makki was born in 150 H. in Ghaza and was taken to Makka while a baby. He lived in Egypt where he died in 204 H. He was considered to be one of the most learned persons amongst the Muslim *Ummah*, unique, learned and the founder of the science of *Usūl Al-Fiqh* (the principles of jurisprudence) and the *Shāfi'i Madhhab*. His grandfather Shāfi'i was a *Sahabi* who met the Prophet ﷺ while a young man.

28. IBN ABU SHAIBA, Abu Bakr:

Abu Bakr 'Abdullah bin Muhammad bin Abu Shaiba Ibrāhim bin 'Uthmān bin Hawasi Al-'Ansi (by clientship) was a unique *Hāfiz*. He authored *Al-Musnad* and *Al-Musannaf* and other books. He was a leader in the knowledge of *Hadith* and Abu Zur'a, Al-Bukhāri, Muslim, Abu Dā'ud and Khalaf narrated from him. Abu Bakr died in Muharram, 235 H.

29. AT-TABARANI, Sulaiman bin Ahmad:

Abul-Qāsim, Sulaimān bin Ahmad bin Ayyub bin Mutair Al-Lakhmi At-Tabarāni was born in 260 H. in Tabariya As-Shām. He was an authoritative *Imām* and narrated *Ahadith* from more than one thousand *Shaykhs* (professors). He left Ash-Shām to acquire the knowledge of *Ahadith* and spent thirty-three years travelling in its pursuance.

He authored many interesting and amusing books, among them are *Al-Mu'jam Al-Kabīr, Al-Mu'jam Al-Awsat*, and *Al-Mu'jam As-Saghir*. At-Tabarāni lived in Asfahan and died there on 27th Dhul-Qa'da, 360 H.

30. AT-TAHAWI, Ahmad bin Muhammad:

Abu Ja'far, Ahmad bin Muhammad Salāma bin Salama Al-Azdi Al-Misri At-Tahāwi Al-Hanafi was born in the year 228 H. or 227 H. He was nicknamed after a village called Taha in Egypt. He was a follower of the *Shāfi'i Madhhab* (school of jurisprudence) and a student of Al-Muzni, his nephew until the latter one day told him, "By Allah, you will never became anything." At-Tahāwi then became angry and moved to Abu 'Imrān Al-Hanafi and not only became a *Hanafi* (a follower of the *Hanafi Madhhab*) but very enthusiastic in proving the *Hanafi Madhhab* by strengthening the reports, citing the *Hadith* weakened by others, as evidence to support his *Madhhab*. Al-Baihaqi also said that he used to weaken the *Hadith* unfavorable to his *Madhhab* through methods not approved of by the scholars of *Hadith*. Among his most famous books is *Sharh Ma'āni Al-Āthār*. At-Tahāwi died in the beginning of Dhul-Qa'da, 321 H.

31. IBN 'ABDUL-BARR, Yusuf bin 'Abdullah:

Abu 'Umar, Yusuf bin 'Abdullah bin Muhammad bin 'Abdul-Barr bin 'Āsim An-Namari Al-Qurtubi was born in Rabi'-uth-Thāni, 368 H. He was a celebrated learned *Imām* and was the *Shaykh-ul-Islam* and *Hāfiz* of Al-Maghrib (North West Africa). He was considered as the master of his time in the memorization and accurate rendering of the *Hadith*. He was also skilled in the science of genealogy and history. Ibn Hazm said, "I can not talk about the knowledge of the *Hadith* like Ibn 'Abdul-Barr, so how can I do better than him?" He has authored many books, the most famous of which is *Al-Istī'āb*. Ibn 'Abdul-Barr died on a Friday in Rabi'-uth-Thāni, 463 H. at the age of 95 years.

32. 'ABDUL-HAQQ bin 'Abdur-Rahman:

Abu Muhammad, 'Abdul-Haqq bin 'Abdur-Rahmān bin 'Abdullah bin Husain bin Sa'id Al-Azdi Al-Ishbili was born in 510 H. He was a *Hafiz* and an authority in the knowledge of *Hadith*. He resided in Bijaya in Spain where he spread his knowledge and authored books. He was famous and a celebrated *'Aalim* and was appointed as the *Khatib* of Bijaya. He was a *Faqih* and knowledgeable in the methodology of the *Hadith*, its weak ones and the history of the *Hadith* narrators. He was also described to be virtuous, pious, ascetic, and a strict follower of the *Sunna*. He also took interest in the arts and recited poetry. 'Abdul-Haqq died in Bijaya in Rabi'-uth-Thāni, 581 H.

33. 'ABDUR-RAZZAQ bin Humam:

Abu Bakr, 'Abdur-Razzāq bin Humām bin Nāfi' Al-Himyari (by clientship) As-San'āni was considered as one of the strongholds of knowledge. Ahmad, Ishāq, Ibn Ma'in and Adh-Dhuhli narrated *Ahadith* from him. He became blind in his old age and became senile. 'Abdur-Razzāq died in 211 H. at the age of 85 years.

34. IBN 'ADI, 'Abdullah:

Abu Ahmad, 'Abdullah bin 'Adi Al-Jurjāni was born in 279 H. He was a famous *Imām*, an eminent *Hāfiz* and one of the celebrated *'Ulama*. He was also nicknamed Ibn Al-Qisār. Ibn 'Adi died in Jumāda-ul-Ākhir, 365 H.

35. AL-'UQAILI, Muhammad bin 'Amr:

Abu Ja'far, Muhammad bin 'Amr bin Mūsa bin Hamād Al-'Uqailī was a *Hāfiz*, an *Imām* and the author of *Kitāb Ad-Du'afā' Al-Kabīr*. He was a celebrated scholar, and the author of many books. Al-'Uqailī lived in Al-Haramain and died in 322 H.

36. 'ALI bin Al-Madını:

Abul-Hasan, 'Ali bin 'Abdullah bin Ja'far bin Najīh As-Sa'di (by clientship) Al-Madīnī was born in 161 H. and was considered to be the most knowledgeable person regarding the *Ahadith* of the Prophet ﷺ. Al-Bukhāri said in this context, "I never belittled myself before anyone except 'Ali ibn Al-Madīnī." He was considered to be the *Imām* of *Al-Jarh wat-Ta'dil*, the *Hāfiz* of his time and the exemplary of *Ahl Al-Hadith* (the scholars of the *Hadith*). 'Ali ibn Al-Madīnī died at Sāmira in present Iraq at a place called Katibata Al-Qa'qa in the

year 234 H.

37. IBN AL-QATTAN, 'Ali bin Muhammad:

Abul-Hasan, 'Ali bin Muhammad bin 'Abdul-Malik Al-Fāsī was born in Qurtuba in Spain in 562 H. and lived in Fās in Morocco. He was a *Hafiz*, an *Imām* and a learned critic of the *Hadith* methodology. Moreover, he was more knowledgeable about the *Hadith* methodology and the mastery of the names and history of the narrators of the *Hadith* than anyone else of his time. He also authored many books and died in Rabi'-ul-Awwal, 628 H.

38. IMAM MALIK, Malik bin Anas:

Abu 'Abdullah, Mālik bin Anas bin Mālik bin Abu 'Aamir Al-Asbahī (Dhi Asbah, his ninth grandfather was from one of the noblest tribes of Yemen) was born in 93 H. or 94 H. and is one of the four *Imāms* whose *Madhhab* are followed regarding jurisprudence matters. He was the *Imām* of *Dār Al-Hijra* (Al-Madinah), the *Faqih* of the *Ummah* and the leader of *Ahl Al-Hadith*. He studied under more than nine hundred professors and an uncountable number of people learned from him, among them being Imam Ash-Shāfi'i, the founder of *Al-Madhhab Ash-Shāfi'iya*.

39. IBN MANDA, Muhammad bin Ishaq:

Abu 'Abdullah, Muhammad bin Ishāq bin Muhammad bin Yahya bin Manda was born in 310 H. and was a *Hāfiz*, an *Imām* and a traveler. He was also one of the eminent *Huffāz* who mastered many *Ahadith*. It is said that he traveled all over the Muslim world of his time and returned with about forty loads of books and his professors were one thousand seven hundred. Ibn Manda died in Dhul-Hijja 395 H.

40. ABU NU'AIM, Al-Asfahani:

Ahmad bin 'Abdullah bin Ahmed bin Ishāq bin Musa bin Mahrān Al-Asfahāni was born in Rajab 334 H. He was a famous *Hāfiz*, one of the eminent *Muhaddithin* and one of the great *Huffāz*. He studied under the celebrated scholars and himself taught many virtuous *'Ulama*. He authored many books, among them *Al-Mustakhraj 'Ala Al-Bukhāri*, and *Al-Mustakhraj 'Ala Muslim* and *Huliyat-ul-Awliyā*, which is one of the best books. It is said that when he took it to Nishapur, it sold for four hundred Dinar. Al-Asfahāni died in Safar or 20th Muharram, 430 H. at Asfahān.

41. ABU YA'LA, Ahmad bin 'Ali:

Al-Hāfiz Ahmad bin 'Ali bin Al-Muthanna bin Yahya bin 'Isa bin Hilāl At-Tamimi was born in Shawwāl, 210 H. He authored *Al-Musnad Al-Kabīr* and was considered as the *Muhaddith* of Al-Jazira. He was truthful, trustworthy, tolerant and religious. As-Sam'āni said, "I heard Isma'il bin Muhammad bin Al-Fadl Al-Hāfiz say: 'I read the *Musnad* of Al-'Adani, the *Musnad* of Ibn Manī' and other *Masānid*, which are like rivers, but the *Musnad* of Abu Ya'la is like the sea into which all the rivers flow.' " Abu Ya'la died in the year 307 H.

1. THE BOOK OF PURIFICATION

١ - كتاب الطّهارة

Chapter 1. WATER

١ - بابُ المِيَاهِ

1. Narrated Abū Huraira[1] ؓ: Allāh's Messenger ﷺ said regarding the sea, "Its water is *Tahoor* (purifying) and its dead (animals) are lawful (to eat)". [*Al-Arba'a*[2] and Ibn Abi Shaiba reported it. The wording is from the latter. Ibn Khuzaima and At-Tirmidhi graded it *Sahih* (authentic). Mālik, Ash-Shāfi'i and Ahmad (also) reported it].

(١) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قال رسولُ الله ﷺ في البَحْرِ: «هُوَ الطَّهُورُ مَاؤُهُ والحِلُّ مَيْتَتُهُ». أَخْرَجَهُ الأَرْبَعَةُ وَابْنُ أَبِي شَيْبَةَ وَاللَّفْظُ لَهُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ والتِّرْمِذِيُّ، وَرَوَاهُ مَالِكٌ وَالشَّافِعِيُّ وَأَحْمَدُ.

2. Narrated Abū Sa'īd Al-Khudri[3] ؓ: Allāh's Messenger ﷺ said, "Water is *Tahoor* (purifying)[4] and nothing can make it impure." [Reported by *Ath-Thalātha*,[5] and Ahmad graded it *Sahih* (authentic)].

(٢) وعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللهُ تَعَالَى عَنْهُ، قَالَ: قال رسول الله ﷺ: «إِنَّ المَاءَ طَهُورٌ لَا يُنَجِّسُهُ شَيْءٌ». أَخْرَجَهُ الثَّلَاثَةُ وَصَحَّحَهُ أَحْمَدُ.

3. Narrated Abū Umāma Al-Bāhili[6] ؓ: Allāh's Messenger ﷺ said, "Water cannot be rendered impure by anything except something which changes its smell, taste and color[7] ". [Ibn Mājah

(٣) وعَنْ أَبِي أُمامَةَ البَاهِلِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رسولُ الله ﷺ: «إِنَّ المَاءَ لَا يُنَجِّسُهُ شَيْءٌ إِلَّا مَا غَلَبَ عَلَى رِيحِهِ وَطَعْمِهِ

[1] His real name is 'Abdullah or 'Abdur-Rahmān bin Sakhr Ad-Dausi. He was one of the greatest *Sahāba* (Companions of the Prophet ﷺ) and reported the largest number of *Ahādith*. More than 800 men narrated from him. He became a Muslim in the year of Khaibar (7 H.) and stayed in the company of the Prophet ﷺ until he (the Prophet ﷺ) died. He was appointed a *Mufti* (scholar of Islamic verdicts) during the caliphate of 'Umar and later became the governor of Al-Madīnah during the reign of Marwān bin Al-Hakam. He died in 59 H. and was buried at Al-Baqī'.

[2] The collectors of *Hadīth:* Abū Dā'ud, At-Tirmidhi, An-Nasā'i and Ibn Mājah.

[3] His name is Sa'd bin Mālik bin Sinān Al-Khazraji Al-Ansāri. He was one of the learned *Sahāba*, reported many *Ahādith* and gave religious opinions for some time. He died at the beginning of 74 H. at the age of 86 years.

[4] It is reported by Ahmad, At-Tirmidhi and Abu Dā'ud that the Prophet ﷺ said these words answering a question about the well of Budā'a (بئر بضاعة), which is located in the vicinity of Al-Madīna, and was always filled with filth. This well was situated in a low lying area and the rain water would carry all the dirt and filth into it. These words are certainly about this well.

[5] The collectors of *Hadīth:* Abū Dā'ud, At-Tirmidhi, and An-Nasā'i.

[6] His name is Suday bin 'Ajlān, one of the *Sahāba* who reported many *Ahādith*. He lived in Egypt then moved to Hims (now in Syria) and died there at the age of 81 or 86 years.

[7] There are two opinions of the scholars concerning the purity of water if something

وَلَوْنِهِ». أَخْرَجَهُ ابْنُ مَاجَه، وَضَعَّفَهُ أَبُو حَاتِمٍ، وَلِلْبَيْهَقِيِّ: الماءُ طَهُورٌ إِلَّا إِن تَغَيَّرَ رِيحُه أو طَعْمُه أو لَونُه بِنَجَاسَةٍ تَحدُثُ فِيهِ.

reported it and Abū Hātim graded it *Da'if* (weak)]. Al-Baihaqi reported: "Water is purifying, unless any impure thing is added to it which changes its smell or taste or color."

(٤) وعَنْ عَبدِاللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُما قَالَ: قَالَ رسولُ الله ﷺ: «إِذَا كَانَ المَاءُ قُلَّتَيْنِ لَمْ يَحمِلِ الخَبَثَ». وفي لَفْظٍ: «لَمْ يَنْجُسْ». أَخْرَجَهُ الأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وابْنُ حِبَّانَ وَالحَاكِمُ.

4. Narrated 'Abdullah bin 'Umar[1] ﷺ: Allāh's Messenger ﷺ said, "If there is enough water to fill two pots [2], it carries no impurity." A narration has: "it does not become impure". [*Al-Arba'a* reported it. Ibn Khuzaima, Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

(٥) وَعَنْ أَبِي هُرَيرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رسولُ اللهِ ﷺ: «لا يَغْتَسِلْ أَحَدُكُمْ فِي المَاءِ الدَّائِمِ وَهُوَ جُنُبٌ». أخرجه مسلم. وللبخاري: «لَا يَبُولَنَّ أَحَدُكُمْ فِي المآءِ الدَّائِمِ الَّذي لَا يَجْرِي، ثُمَّ يَغْتَسِلُ فِيهِ». ولِمُسْلِمٍ «منه» وَلأَبِي دَاوُد «وَلَا يَغْتَسِلْ فِيهِ مِنَ الجَنَابَةِ».

5. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "None of you should take a bath in stagnant water while he is sexually impure." [Muslim reported it]. Al-Bukhāri has: "None of you should urinate in stagnant water that is not flowing, then take a bath in it.[3] " Muslim has the words: "from it (i.e. from the water)". Abū Dā'ud has: "One should not take bath in it from sexual impurity."

---

unclean or impure has been mixed with it. (A) That it remains pure – whether in a small amount or large amount – if neither its color, taste nor smell is changed. (B) If a small amount of water is mixed with impurities it becomes impure, even if none of these qualities (color, taste or small) are changed. However, if it is a large amount of water, it remains pure, unless one of these three qualities are changed by being mixed with impurities. This second opinion is the opinion of the *Hanafiya* and *Shafi'iya*. The first opinion is the opinion of *Mālik*, *Ahmad* (in one of his sayings), *Az-Zāhiriyyah*, a group of *Sahābah* [including: 'Umar, Ibn Abbās, Ibn Mas'ūd, Aa'isha, Abu Hurairah and Hudhaifah], as well as a group of *Tābi'īn* [including: Ibn Al-Musayyib, Sa'id bin Jubair, Mujāhid, 'Ikrimah and Al-Hasan Al-Basri].

[1] He was among the most ascetic and most knowledgeable *Sahāba*. He became a Muslim at Makkah while a small boy, and migrated to Al-Madīnah. He first participated in the battle of Al-Khandaq, died in 73 A. H., and was buried at Dhī Tuwa.

[2] *Qulla* (قلة) is a large earthen pot, which may contain water up to two and a half water-skins, viz., one hundred and thirteen kilograms. Ibn Al-Turkumānī in *Al-Jawhar An-Naqī* said: There is such a great difference of opinion as to what a *Qulla* is equal to, until it is impossible to act upon it.

[3] This refers to a small quantity of water. If water is in abundance, it will be regarded as flowing water, which is not impure and is good for bathing. It is prohibited to urinate in the stagnant water because the water may become polluted if one does so habitually. The condition of stagnant water is only because flowing water is always clean and never becomes impure, not even from dirt and filth. The prohibition here of bathing or urinating in stagnant water indicates that it is *Harām* (forbidden) when the water is in a small amount and *Makrū'h* (detestable) when it is a large amount.

6. A man[1] who accompanied the Prophet ﷺ narrated: Allāh's Messenger ﷺ forbade a woman from bathing with the water left over by a man, and a man from bathing with the water left over by a woman. (Instead) they should both scoop up handfuls of the water together. [Reported by Abū Dā'ud and An-Nasā'i and its chain of narrators is *Sahih* (authentic)].

(٦) وعَنْ رَجُلٍ صَحِبَ النَّبِيَّ ﷺ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ أَنْ تَغْتَسِلَ المَرأَةُ بِفَضْلِ الرَّجُلِ، أَوِ الرَّجُلُ بِفَضْلِ المَرْأَةِ، وَلْيَغْتَرِفَا جَمِيعاً. أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَإِسْنَادُهُ صَحِيحٌ.

7. Narrated Ibn 'Abbās[2]: The Prophet ﷺ used to bath with the water left over by Maimūna. [Muslim reported it]. And *Ashāb As-Sunan* (here meaning Abu Dawud, Tirmidhi and Ibn Majah) reported that one of the wives of the Prophet ﷺ took a bath from a vessel, then the Prophet ﷺ came and when he wanted to take a bath from that (vessel), she said to him, "I was sexually impure." He said, "Water does not become sexually impure."[3] [At-Tirmidhi and Ibn Khuzaima graded it *Sahih* (authentic)].

(٧) وعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ كَانَ يَغْتَسِلُ بِفَضْلِ مَيْمُونَةَ رَضي الله تعالى عنها. أخرجه مسلم. وَلِأَصْحابِ السُّنَنِ: اغْتَسَلَ بَعْضُ أزوَاجِ النَّبِيِّ ﷺ فِي جَفْنَةٍ، فَجَاءَ النَّبِيُّ ﷺ لِيَغْتَسِلَ مِنْهَا، فَقَالَتْ له: إِنِّي كُنْتُ جُنُباً، فَقَالَ: «إِنَّ المَاءَ لَا يُجْنِبُ». وَصَحَّحَهُ التِّرْمِذِيُّ وَابنُ خُزَيْمَةَ.

8. Narrated Abū Huraira: Allāh's Messenger ﷺ said, "The purification of the utensil belonging to one of you, if it has been licked by a dog, is to wash it seven[4] times, using surface soil for

(٨) وعَنْ أَبِي هُرَيرَةَ رضي اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رسولُ الله ﷺ: «طُهُورُ إِنَاءِ أَحَدِكُمْ إِذَا وَلَغَ فِيهِ الكَلْبُ أَنْ يَغْسِلَهُ سَبْعَ مَرَّاتٍ،

[1] This man is one of the *Sahāba*, and failure to mention his name is of no consequence (harm) because the *Sahāba* are all trustworthy (acceptable narrators).

[2] He is 'Abdullāh bin 'Abbās bin 'Abdul-Muttalib, the Prophet's cousin and the scholar of the Muslim *Ummah*. He was born 3 years before *Al-Hijra* and died at Tā'if in 67 A.H.

[3] This *Hadīth* appears to be in contradiction to the first. However, it is not, because the order is not of absolute prohibition (نهي تحريمي), but is only of suggestive prohibition (i.e. something undesirable (نهي تحريمي) to avoid any trace of impurity.

[4] It must be clear that just to clean a thing from impurity, it is not necessary to wash it seven times. The idea behind cleaning a thing seven times is different from that of simple purification. Physicians of today say that mostly in the intestines of dogs there are germs and small worms approximately 4 mm. in length, and these move out from intestines with the excrement and stick to the hair around the anus. When dogs clean this place with the tongue, it gets soiled with these organisms. If a dog licks a pot or someone kisses the dog, as the European and American ladies do, these are transferred from the dog to the pot or to the mouth of the woman and then to the stomach. These organisms keep on moving, and penetrate into blood cells causing many fatal diseases. As the detection of these germs is not possible without microscopic tests, the *Shari'a* (شريعة – Islamic law) declared the dog's saliva

the first cleaning." [Muslim reported it. Another narration of Muslim has: "He should pour out the contents"]. At-Tirmidhi has: "...using surface soil for the first or last (cleaning)".

أُولَاهُنَّ بِالتُّرَابِ». أَخْرَجَهُ مُسْلِمٌ، وَفِي لَفْظٍ لَهُ «فَلْيُرِقْه». وَلِلتِّرمِذِيِّ: «أُخْرَاهُنَّ أَوْ أُولَاهُنَّ بالتُّراب».

9. Narrated Abū Qatāda[1] ﷺ: Allāh's Messenger ﷺ said about the cat: "It is not unclean, but is one of those who intermingle with you." [Reported by *Al-Arba'a*.[2] At-Tirmidhi and Ibn Khuzaima graded it *Sahih* (authentic)].

(٩) وعن أَبِي قَتَادةَ رضي اللهُ تعالى عنه أَنَّ رَسولَ اللهِ ﷺ قَالَ فِي الهِرَّةِ: «إِنَّهَا لَيْسَتْ بِنَجَسٍ، إِنَّمَا هِيَ مِنَ الطَّوَّافِينَ عَلَيْكُمْ». أَخْرَجَهُ الأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ خُزَيْمَةَ.

10. Narrated Anas bin Mālik[3] ﷺ: A Bedouin came and urinated in one corner of the mosque. The people shouted at him, but Allāh's Messenger ﷺ stopped them. When he (the man) finished urinating, the Prophet ﷺ ordered for a bucket of water which was poured[4] over it. [Agreed upon].[5]

(١٠) وعَنْ أَنَسِ بْنِ مَالِكٍ رضي اللهُ تعالى عنه قال: جَاءَ أَعْرابِيٌّ فَبَالَ فِي طَائِفَةِ المَسْجِدِ، فَزَجَرَهُ النَّاسُ، فَنَهَاهُمْ رَسولُ اللهِ ﷺ، فلمَّا قَضَى بَولَهُ أَمَرَ النَّبيُّ ﷺ بِذَنُوبٍ من مَاءٍ فأُهْرِيقَ عَلَيْه. مُتَّفَقٌ عَلَيْهِ.

11. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "Two types of dead animals and two types of bloods have been made lawful for us. The two types of dead animals are locusts and fish, while the two types of bloods are the liver and the spleen." [Reported by Ahmad and Ibn Mājah, and this *Hadīth* has some *Da'f* (weakness).]

(١١) وعنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعالَى عَنْهُمَا قَالَ: قَالَ رسولُ الله ﷺ: «أُحِلَّتْ لَنَا مَيْتَتَانِ وَدَمَانِ، فَأَمَّا المَيْتَتَانِ: فَالجَرَادُ وَالحُوتُ، وَأَمَّا الدَّمَانِ: فَالكَبِدُ وَالطِّحَالُ». أَخْرَجَهُ أَحْمَدُ وَابْنُ مَاجَه، وَفِيهِ ضَعْفٌ.

12. Narrated Abū Huraira ﷺ: Allāh's

(١٢) وعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ

an inherently impure thing by a general command, and whenever a thing is polluted with dog's saliva, it must be cleaned seven times (one time – preferably the first – should be with soil) to be sure of its purity. For more details please see the footnotes of the book *Ahkām-ul-Ahsan, Sharh Umdat-ul-Ahkām*].

[1] He is Al-Hārith bin Rib'i Al-Ansāri, the Prophet's horseman. He fought the battle of Uhud and those which followed. It is said that he died at Al-Madīnah or Kūfa in 54 H.

[2] Abu Dā'ud, Tirmidhi, Nasā'i and Ibn Mājah. This *Hadīth* indicates the purity of the cat and its leftover (food or drink) as long as there isn't any apparent impurities on its mouth.

[3] He was the Prophet's servant from the time he came to Al-Madīnah till his death. He is known as Abū Hamza and was a Khazraji. He lived in Basra during 'Umar's Caliphate and died there at the age of 99 or 103 years in 91 or 92 or 93 H.

[4] This *Hadīth* proves that earth is purified by pouring water over the place soiled with impurities. Ibn Abi Shaiba has narrated – as *Mawqūf* (a saying of a Companion) – that the earth is purified when it is dried up.

[5] Al-Bukhāri and Muslim.

Messenger ﷺ said, "If a fly falls in the drink of one of you, he should fully immerse it and then throw it away because there is disease (poison) in one of its wings and cure in the other."[1] [Reported by Al-Bukhāri and Abū Dā'ud who added: "It (the fly) protects itself with the diseased wing (by dipping it first in a drink)].

قَالَ: قَالَ رسولُ اللهِ ﷺ: «إِذَا وَقَعَ الذُّبَابُ فِي شَرَابِ أَحَدِكُمْ فَلْيَغْمِسْهُ، ثُمَّ لِيَنْزِعْهُ فَإِنَّ فِي أَحَدِ جَنَاحَيْهِ دَاءً، وَفِي الآخَرِ شِفَاءً». أَخْرَجَهُ الْبُخَارِيُّ وَأَبُو دَاوُدَ، وَزَادَ: «وَإِنَّهُ يَتَّقِي بِجَنَاحِهِ الَّذِي فِيهِ الدَّاءُ».

13. Narrated Abū Wāqid Al-Laithi[2] ؓ: Allāh's Messenger ﷺ said, "Whatever (portion) is cut off from an animal – while it is alive – is dead (meat). [Reported by Abū Dā'ud and At-Tirmidhi who graded it *Hasan* (good), and this wording is At-Tirmidhi's].

(١٣) وعَنْ أَبِي واقِدٍ اللَّيْثِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسولُ الله ﷺ: «مَا قُطِعَ مِنَ الْبَهِيمَةِ، وَهِيَ حَيَّةٌ، فَهُوَ مَيِّتٌ». أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ، وَاللَّفْظُ لَهُ.

Chapter 2
UTENSILS

٢ - بَابُ الآنِيَةِ

14. Narrated Hudhaifa bin Al-Yamān[3] ؓ: Allāh's Messenger ﷺ said, "Do not drink in silver or gold utensils, and do not eat in plates (trays) made from such metals.[4] Indeed such things are for them (the disbelievers) in this world and for you (the believers) in the Hereafter." [Agreed upon].[5]

(١٤) عَنْ حُذَيْفَةَ بْنِ الْيَمَانِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رسولُ اللهِ ﷺ: «لَا تَشْرَبُوا فِي آنِيَةِ الذَّهَبِ وَالفِضَّةِ وَلَا تَأْكُلُوا فِي صِحَافِهَا، فَإِنَّهَا لَهُمْ فِي الدُّنْيَا وَلَكُمْ فِي الآخِرَةِ». مُتَّفَقٌ عَلَيْهِ.

[1] It is evident from this *Hadīth* that water or syrup does not become impure if a fly falls into it. Likewise, the creatures of this family – whose blood does not flow – like the mosquito, wasp and spider, etc. do not make the water impure if they have fallen into it or died in it.

[2] His name is Al-Hārith bin 'Auf and is a descendant of Banū 'Aamir bin Laith. He became a Muslim very early and is counted among the people of Al-Madīnah. It is said that he fought at Badr, lived in Makkah and died there in 65 H. or 68 H. at the age of 57 and was buried at Funj. His *Hadīth* indicates that the cut-off portion of a live animal is forbidden (to eat) and unclean (to touch) like any mayyit (animal which dies by itself, not being slaughtered properly).

[3] He is nicknamed Abū 'Abdullāh, both him and his father were *Sabāba* and he became famous for being the confidant of the Prophet ﷺ. He died at Midian (Madāin) forty nights after the killing of 'Uthmān in the year 35 H. or 36 H.

[4] This *Hadīth* is mentioned here to show that if it is prohibited to eat and drink in gold and silver utensils, then using gold and silver utensils for ablution is also prohibited. Otherwise, this *Hadīth* would have been placed in the chapter of eating and drinking. However, other scholars limit the application of the prohibition in this *Hadīth* to eating and drinking – as mentioned in the text. Eating, drinking and performing ablution in utensils studded with rubies and diamonds is permissible, according to the rule of things being permissible unless prohibited by a text.

[5] Al-Bukhāri and Muslim.

15. Narrated Umm Salama[1] ؓ: Allāh's Messenger ﷺ said, "He who drinks in a silver utensil is only swallowing the fire of Hell in his stomach." [Agreed upon].

(١٥) وعن أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعالَى عَنها قالت: قَالَ رسولُ الله ﷺ: «الَّذِي يَشْرَبُ فِي إِنَاءِ الفِضَّةِ إِنَّمَا يُجَرْجِرُ فِي بَطْنِهِ نَارَ جَهَنَّمَ». مُتَّفَقٌ عَلَيْهِ.

16. Narrated Ibn 'Abbās ؓ: Allāh's Messenger ﷺ said, "When the animal hide is tanned it becomes purified.[2]" [Reported by Muslim]. *Al-Arba'a* have the words: "Any animal hide that is tanned ..."

(١٦) وعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رسولُ الله ﷺ: «إِذَا دُبِغَ الإِهَابُ فَقَدْ طَهُرَ». أَخْرَجَهُ مُسْلِمٌ، وَعِنْدَ الأَرْبَعَةِ «أَيُّما إِهابٍ دُبِغَ».

17. Narrated Salama bin Al-Muhabbiq[3] ؓ: Allāh's Messenger ﷺ said, "The tanning of a dead animal's hide is its purification." [Ibn Hibbān [reported it and] graded it *Sahih* (authentic)].

(١٧) وعن سَلَمَةَ بْنِ المُحَبِّقِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قال رسولُ الله ﷺ: «دِبَاغُ جُلُودِ المَيْتَةِ طُهُورُهَا». صَحَّحَهُ ابْنُ حِبَّانَ.

18. Narrated Maimūna ؓ: The Prophet ﷺ passed by a (dead) sheep which some people were dragging. He told them, "If you had taken its hide (it would be better)." They said, "It is dead". He said, "Water and the leaves of the Acacia tree will purify it." [Reported by Abū Dā'ud and An-Nasā'i].

(١٨) وعَنْ مَيْمُونَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: مَرَّ النَّبِيُّ ﷺ بِشَاةٍ يَجُرُّونَها، فَقَالَ: «لَوْ أَخَذْتُمْ إِهَابَها» فَقَالُوا: إِنَّهَا مَيْتَةٌ، فَقَالَ: «يُطَهِّرُهَا المَاءُ والقَرَظُ». أَخْرَجَه أَبُو دَاوُدَ وَالنَّسَائِيُّ.

19. Narrated Abū Tha'laba Al-Khushani[4] ؓ: I said, "O Allāh's

(١٩) وعَنْ أَبِي ثَعْلَبَةَ الخُشَنِيِّ رَضِيَ اللَّهُ

[1] She is Hind bint Abū 'Umaiya. She was married to Abū Salama, and migrated with him to Abyssinia (Ethiopia) and then to Al-Madīnah. When Abū Salama died from an injury he had sustained during the battle of Uhud, the Prophet ﷺ married her in Shawwāl 4 H. It is said that she died in 59 H. or 62 H. at the age of 84 years and was buried at Al-Baqi'.

[2] This *Hadīth* proves that a hide, after tanning becomes pure and clean, whether the hide is of an animal which is (حرام) prohibited to eat or (حلال) lawful to eat and whether the animal is slaughtered or died. However, some scholars hold that the skins of human beings and some animals are unlawful and not permitted for use. The skin of the human being is unlawful due to his sacredness and reverence, while the skins of animals like the dog and pig are unlawful, and not permitted for use, because they are inherently impure and unclean. Some scholars hold that tanning only purifies the hides of animals that are lawful to eat. It should also be remembered that the hair, teeth and horns of lawful animals are also lawful for use and trade.

[3] He is nicknamed Abū Sinān of Hudhali tribe. He is considered as a resident of Basra and Al-Hasan Al-Basri learned *Hadīth* from him.

[4] He is a *Sahābi* (Companion of the Prophet ﷺ) descending from Khushain bin An-Nimir of Qudā'a tribe. He was one of the *Ashāb Ash-Shajara* who entered a covenant with the Prophet ﷺ on the day of Al-Hudaibiya. He was sent to his people and they accepted Islam.

Messenger! We are living in a land inhabited by the people of the Scriptures, can we eat from their utensils?" He said, "Do not eat from their utensils unless you cannot find utensils other than theirs.[1] [If you cannot find other than theirs,] wash them and eat from them." [Agreed upon].

تَعَالَى عَنْهُ قَالَ: قُلْتُ: يَا رَسُولَ اللهِ إِنَّا بِأَرْضِ قَوْمٍ أَهْلِ كِتَابٍ، أَفَنَأْكُلُ فِي آنِيَتِهِمْ؟ قَالَ: «لَا تَأْكُلُوا فِيهَا إِلَّا أَنْ لَا تَجِدُوا غَيْرَهَا، فَاغْسِلُوهَا، وَكُلُوا فِيهَا». مُتَّفَقٌ عَلَيْهِ.

20. Narrated 'Imrān bin Husain[2] ؓ: The Prophet ﷺ and his Companions performed *Wudu'* (ablution) from an animal-hide water container[3] belonging to a polytheist woman. [Agreed upon]. (It is an extract of a long *Hadīth*)

(٢٠) وعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللهُ تعالى عنهما: أَنَّ النَّبِيَّ ﷺ وأَصْحابَه تَوَضَّؤُوا مِنْ مَزَادَةِ امْرَأَةٍ مُشْرِكَةٍ. مُتَّفَقٌ عَلَيْهِ فِي حَدِيثٍ طَوِيلٍ.

21. Narrated Anas bin Mālik ؓ: When the cup of the Prophet ﷺ was broken, he fixed it with a silver wire[4] at the crack. [Reported by Al-Bukhāri].

(٢١) وعن أَنَسِ بْنِ مَالِكٍ رَضِيَ الله تعالى عنه: أَنَّ قَدَحَ النَّبِيِّ ﷺ انْكَسَرَ فَاتَّخَذَ مَكَانَ الشَّعْبِ سِلْسِلَةً مِنْ فِضَّةٍ. أَخْرَجَهُ الْبُخَارِيُّ.

Chapter 3
The Nature and Cleansing of *An-Najasah* (The Impurities)

٣ - بَابُ إِزَالَةِ النَّجَاسَةِ وَبَيانِها

22. Narrated Anas bin Mālik ؓ: Allāh's Messenger ﷺ was asked about making vinegar out of alcohol. He said, "No (it is prohibited)".[5] [Reported by

(٢٢) عَنْ أَنَسِ بْنِ مَالِكٍ رضي الله عنه قَالَ: سُئِلَ رَسُولُ اللهِ ﷺ عَنِ الخَمْرِ تُتَّخَذُ خَلًّا؟ قَالَ: «لَا». أَخْرَجَهُ مُسْلِمٌ وَالتِّرْمِذِيُّ، وَقَالَ:

He settled in Shām and died there in 75 H.

[1] This *Hadīth* makes it clear that the utensils of *Ahlul-Kitāb* (People of the Book) are unclean, and if the utensils from a Muslim are available then the utensils of a non-Muslim should not be used for eating, drinking or cooking. If it is certain about a non-Muslim that he does not eat something unlawful or prohibited such as pork and alcohol [as mentioned in the *Hadīth* of Ahmad and Abu Dawud], then his utensils may be used; even then, one should be careful and wash them.

[2] He is nicknamed Abū Nujeid and is from the Khuzā'a tribe. He accepted Islam in the year of Khaibar. He settled in Basra and died there in 52 H. or 53 H.

[3] This *Hadīth* clarifies that utensils of the polytheists – about which there is no probability of being polluted by impure substances, such as pork or alcohol – may be used without any hesitations.

[4] This *Hadīth* proves that the use of a small amount of silver to fix the crack of a utensil is allowed, and eating and drinking in it is not prohibited.

[5] Making of vinegar from alcohol by adding something to it is prohibited according to the *Shafi'ī Madhhab*; it will not be pure to touch, nor lawful to consume. The stronger opinion is that it is lawful once it is transformed into vinegar. A third opinion considers the intention of the one who made it.

Muslim and At-Tirmidhi and the latter graded it ***Hasan-Sabih*** (good and authentic)].

حَدِيثٌ حَسَنٌ صَحِيحٌ.

23. Narrated (Anas bin Mālik) ﷺ: On the day of Khaibar, Allāh's Messenger ﷺ commanded Abū Talha[1] to announce: "Allāh and His Messenger have prohibited for you (eating of) the flesh of the domesticated donkeys, for it is unclean."[2] [Agreed upon.]

(٢٣) وعَنْهُ قَالَ: لَمَّا كَانَ يومُ خَيْبَرَ أَمَرَ رَسُولُ اللهِ ﷺ أَبَا طَلْحَةَ فَنَادَى: أَنَّ اللَّهَ وَرَسُولَهُ يَنْهَيَانِكُمْ عَنْ لُحُومِ الحُمُرِ الأَهْلِيَّةِ، فإِنَّها رِجْسٌ. مُتَّفَقٌ عَلَيْه.

24. Narrated 'Amr bin Khārija[3] ﷺ: Allāh's Messenger ﷺ delivered a ***Khutba*** (religious talk) to us at Mina, while mounted on his camel, and its saliva was dripping on my[4] shoulder(s). [Reported by Ahmad and At-Trimidhi and the latter graded it ***Sabih*** (authentic)].

(٢٤) وعن عَمْرِو بْنِ خَارِجَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: خَطَبَنَا رَسولُ الله ﷺ بِمِنًى وَهُوَ عَلَى رَاحِلَتِهِ، وَلُعَابُهَا يَسِيلُ عَلَى كَتِفَيَّ. أَخْرَجَهُ أَحْمَدُ وَالتِّرْمِذِيُّ وَصَحَّحَهُ.

25. Narrated 'Aisha[5] ﷺ: Allāh's Messenger ﷺ used to wash the semen[6] and then go out for prayer in

(٢٥) وعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رسولُ الله ﷺ يَغْسِلُ المَنِيَّ ثُمَّ

[1] He is Zaid bin Sahl bin Al-Aswad bin Harām Al-Ansāri An-Najāri who was one of the senior *Sahāba*. He attended the 'Aqaba Covenant and all the battles. He fought bravely during the battle of Uhud and defended the Prophet ﷺ till his hand got paralyzed. He also killed 20 men in the battle of Hunain. He died in the year 34 H. or 51 H.

[2] This *Hadīth* is a proof that the flesh of domesticated donkey is unlawful to eat. According to some scholars it is also *Najis* (impure) to touch, as indicated by the Prophet's use of the word *Rijs* (dirty, filthy) to describe this animal. Otherwise, the prohibition of consuming something does not necessarily mean that it is also unclean, while the opposite holds true, i.e. the ruling that something is unclean necessitates it being unlawful for consumption, since it is not permissible to touch it. Some hold that the leftover water of a donkey is pure and usable.

[3] He is 'Amr bin Khārija bin Al-Muntafiq Al-Asadi. He was an ally of Abū Sufyān. He is regarded as being from the clan of Al-Ash'ar. He is among the *Sahāba* who settled in Shām and this *Hadīth* was reported by the people of Basra.

[4] From this *Hadīth* we come to know that the saliva of a *Halāl* [lawful to eat] animal is also pure. This ruling rests upon establishing that the Prophet ﷺ knew that the saliva of his camel was dripping on Amr's shoulder, in which case it would be considered as his *Taqreer* (tacit approval).

[5] She is the daughter of Abū Bakr As-Siddiq and the Prophet ﷺ married her 2 years before the *Hijra* in the month of Shawwāl, but wedded her in 1 H. at the age of 9 years. She was very learned and reported many *Ahādith*. She died on 17 Ramadān 57 H. or 58 H. Abū Huraira ﷺ offered her Funeral prayer and she was buried at Al-Baqi'.

[6] There is a difference of opinion concerning human semen, whether it is impure or not. Some scholars consider it like saliva or nasal secretion, and according to others it is necessary to wash it. The first group [*Al-Hanafiya*, *Mālikiya* and in a saying of Ahmad] gives as its proof

that (very) garment, and I could still see the trace of the washing on it. [Agreed upon]. Muslim has: "I used to scrape it (the semen) off the garment of the Allāh's Messenger (ﷺ) and then he offered prayer wearing it." In yet another narration of Muslim: "Verily! I ('Aisha) used to scrape it (the semen) off his garment with my fingernail while it was dry".

يَخْرُجُ إِلَى الصَّلَاةِ فِي ذَلِكَ الثَّوبِ، وَأَنَا أَنْظُرُ إِلَى أَثَرِ الغَسْلِ فِيهِ. متفق عليه. ولمسلم: «لَقَدْ كُنْتُ أَفْرُكُه مِنْ ثَوبِ رَسولِ اللهِ ﷺ فَرْكاً، فَيُصلِّي فِيهِ. وَفِي لفظٍ لَهُ: «لَقَد كُنْتُ أَحُكُّهُ يَابِساً بِظُفرِي مِنْ ثَوْبِهِ».

26. Narrated Abū As-Samh[1] ؓ: Allāh's Messenger ﷺ said, "The urine of a baby girl should be washed off and the urine of a baby boy should be sprinkled[2] (by pouring water over it completely)." [Reported by Abū Dā'ud and An-Nasā'i, and Al-Hākim graded it *Sahih* (authentic)].

(٢٦) وعَن أَبي السَّمْحِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسولُ اللهِ ﷺ: «يُغْسَلُ مِنْ بَوْلِ الجَارِيَةِ، وَيُرَشُّ مِنْ بَوْلِ الغُلَامِ». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسائِيُّ، وَصَحَّحَه الحَاكِمُ.

27. Narrated 'Asmā' bint Abū Bakr[3] ؓ: The Prophet ﷺ said regarding menstruation blood that soils a garment, "She should scrape it, rub it with water (using her fingers), then sprinkle [or wash it (with water)]. Then she may pray in it". [Agreed upon].

(٢٧) وعَنْ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ فِي دَمِ الحَيْضِ يُصِيبُ الثَّوْبَ: «تَحُتُّهُ، ثُمَّ تَقْرُصُهُ بِالمَاءِ، ثُمَّ تَنْضَحُهُ، ثُمَّ تُصَلِّي فِيهِ». مُتَّفَقٌ عَلَيهِ.

28. Narrated Abū Huraira ؓ: Khaula[4] said, "O Messenger of Allāh, suppose the (traces of) blood does not

(٢٨) وعَنْ أَبي هُرَيْرَةَ رَضِيَ اللهُ تَعَالَىٰ عنه قال: قَالَتْ خَولَةُ: يَا رَسُولَ اللهِ! فَإِن لَمْ

the *Hadīth* of scraping it when dry; while the latter group [*Ash-Shafi'iya* and in a saying of Ahmad] argues from the *Hadīth* of washing the semen. In fact, if it is moist it should be cleaned by washing; and if it is dry it should be cleaned by scraping, rubbing or wiping. (See the book *Nailul-Autār* by Imām Shaukāni and *Subulus-Salam* by Imām As-San'ani)

[1] His name is Iyyād. He was a manumitted slave and servant of the Prophet ﷺ. Ibn Abdul-Bar said that he was reported to be lost and nobody knew where he died.

[2] It means that there is a difference in the urine of a boy and girl. In the suckling period, the girl's urine requires washing, while the boy's urine only requires pouring water over the spot soiled by the urine. Most of the scholars hold that the urine of the suckling boy is impure, but the *Sharī'ah* has lightened the burden in its cleaning process.

[3] She is the mother of 'Abdullāh bin Az-Zubair and the elder sister of 'Aisha. She became a Muslim very early in Makkah and migrated to Al-Madīnah. She died less than a month after the killing of her son Ibn Az-Zubair in 73 H. at the age of about 100 years, yet she neither lost a tooth nor suffered from senility. This Hadīth shows the great care that must be taken to wash and remove the traces of the blood from menses.

[4] Khaula bint Yasār was a *Sahābiya* and Abū Salama bin 'Abdur-Rahmān narrated the *Hadīth* from her.

go?" He said, "(Washing it with) water will suffice you, and its traces won't harm you." [Reported by At-Tirmidhi, and its *Sanad* (chain of narrators) is weak].

يَذْهَبِ الدَّمُ؟ قَالَ: «يَكْفِيكِ المَاءُ، وَلَا يَضُرُّكِ أَثَرُهُ». أَخْرَجَهُ التِّرْمِذِيُّ، وَسَنَدُهُ ضَعِيفٌ.

Chapter 4
WUDU' (ABLUTION)

٤ - بَابُ الوُضُوءِ

29. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "If it were not that I would burden my *Ummah* (followers), I would have commanded them to use *Siwāk*[1] (stick toothbrush) along with every ablution." [Reported by Mālik, Ahmad and An-Nasā'i. Ibn Khuzaima graded it *Sahih* (authentic) and Al-Bukhāri mentioned as a *Mu'allaq* (broken chain from the side of the collector, i.e. Al-Bukhari)].

(٢٩) عَنْ أَبِي هُرَيْرَةَ رضي الله تعالى عنه عن رسولِ اللهِ ﷺ أَنَّهُ قَالَ: «لَوْلَا أَنْ أَشُقَّ عَلَى أُمَّتِي لأَمَرْتُهُمْ بِالسِّوَاكِ مَعَ كُلِّ وُضُوءٍ». أَخْرَجَهُ مَالِكٌ وَأَحْمَدُ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ، وَذَكَرَهُ البُخَارِيُّ تَعْلِيقاً.

30. Narrated Humrān[2], the manumitted slave of 'Uthmān[3] : 'Uthmān ﷺ called for water to perform ablution. He washed the palms of his hands three times, then rinsed his mouth and sniffed water in his nose and then blew it out. He then washed his face three times. Thereafter he washed his right hand up to [and including] his elbow three times,[4] then the left one in the

(٣٠) وعَنْ حُمْرَانَ مَوْلَى عُثْمَانَ رضي الله تعالى عنه: أَنَّ عُثْمَانَ دَعَا بِوَضُوءٍ فَغَسَلَ كَفَّيْهِ ثَلَاثَ مَرَّاتٍ، ثُمَّ تَمَضْمَضَ وَاسْتَنْشَقَ وَاسْتَنْثَرَ، ثُمَّ غَسَلَ وَجْهَهُ ثَلَاثَ مَرَّاتٍ، ثُمَّ غَسَلَ يَدَهُ اليُمْنَى إِلَى المِرْفَقِ ثَلَاثَ مَرَّاتٍ، ثُمَّ اليُسْرَى مِثْلَ ذَلِكَ، ثُمَّ مَسَحَ بِرَأْسِهِ، ثُمَّ غَسَلَ رِجْلَهُ اليُمْنَى إِلَى الكَعْبَيْنِ ثَلَاثَ مَرَّاتٍ، ثُمَّ اليُسْرَى

---

[1] It means that the use of *Siwāk* (tooth cleaning stick from the *Araak* tree) with every ablution is *Sunnah* [the way of the noble Prophet ﷺ]. The *Hadīth* reported by Muslim mentions that *Siwāk* should be used before every prayer. Thus, if someone is going to offer prayers having previously performed ablution, even then he should use *Siwāk*. These *Ahādith* show the emphasis on constant use of *Siwāk* for the cleaning of teeth. However, it is *Sunnah* (supererogatory) and not *Wājib* (compulsory). Other times when *Siwāk* is encouraged is when reading the Qur'an, awakening from sleep and whenever there is any change in the condition of the mouth (i.e. odors).

[2] Humrān bin Abān was caught by Khālid bin Al-Walīd in a war during Abū Bakr's caliphate. He was purchased by 'Uthmān who freed him. He is trustworthy of the 2nd grade in the reporting of *Ahādith*. He died in 75 H.

[3] The third of the Rightly Guided Caliphs. He accepted Islam early and married Ruqaiya and then Umm Kulthum, daughters of the Prophet ﷺ and was therefore nicknamed *Dhūn-Nūrain* (the possessor of the two lights, i.e. the daughters of the Prophet ﷺ). He was killed as a martyr on Friday, 18th Dhul Hijja, 35 H.

[4] In this *Hadīth* washing of face, hands and feet is stated to be done three times each, whereas in others, two times and one time washing is regarded as enough. Imām Nawawi has written the consensus of opinions that washing once is *Fard* (obligatory).

same manner, then he wiped his head (with wet hands). Then he washed his right foot, up to [and including] the ankle three times, then the left one in the same manner. He then said, "I saw Allāh's Messenger ﷺ performing ablution like this ablution of mine." [Agreed upon].

مِثْلَ ذَلِكَ، ثُمَّ قَالَ: رَأَيْتُ رَسُولَ الله ﷺ تَوَضَّأَ نَحْوَ وُضُوئِي هَذَا. مُتَّفَقٌ عَلَيْهِ.

31. Narrated 'Ali[1] ؓ regarding the description of the ablution of the Prophet ﷺ: He (the Prophet ﷺ) wiped his head (with wet hands) one time.[2] [Reported by Abū Dā'ud. An-Nasā'i and At-Tirmidhi reported it with a *Sahih Sanad* (authentic chain of narrators). At-Tirmidhi said, "It's the most authentic *Hadīth* on this subject"].

(٣١) وعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي صِفَةِ وُضُوءِ النَّبِيِّ ﷺ - قَالَ: وَمَسَحَ بِرَأْسِهِ وَاحِدَةً. أَخْرَجَهُ أَبُو دَاوُدَ، وَأَخْرَجَهُ النَّسَائِيُّ وَالتِّرْمِذِيُّ بِإِسْنَادٍ صَحِيحٍ، بَلْ قَالَ التِّرْمِذِيُّ: إِنَّهُ أَصَحُّ شَيْءٍ فِي الْبَابِ.

32. Narrated 'Abdullāh bin Zaid bin 'Aasim[3] ؓ regarding the description of ablution: Allāh's Messenger ﷺ wiped his head from the forehead back [up to, but *not* including the nape of the neck] and then back to the forehead[4] with his two (wet) hands. [Agreed upon].

(٣٢) وعَنْ عَبْدِ اللهِ بْنِ زَيْدِ بْنِ عَاصِمٍ رضي الله تعالى عنه - فِي صِفَةِ الْوُضُوءِ - قَالَ: وَمَسَحَ رَسُولُ اللهِ ﷺ بِرَأْسِهِ فَأَقْبَلَ بِيَدَيْهِ وَأَدْبَرَ. مُتَّفَقٌ عَلَيْهِ.

And in another narration of theirs: "He began from the front of his head and took them (his wet hands) to the back of his head and then returned them to the place he had started from."

وَفِي لَفْظٍ لَهُمَا: بَدَأَ بِمُقَدَّمِ رَأْسِهِ حَتَّى ذَهَبَ بِهِمَا إِلَى قَفَاهُ، ثُمَّ رَدَّهُمَا حَتَّى رَجَعَ إِلَى الْمَكَانِ الَّذِي بَدَأَ مِنْهُ.

33. Narrated Abdullāh bin 'Amr[5] ؓ regarding the description of the

(٣٣) وعَنْ عَبْدِ اللهِ بْنِ عَمْرٍو رضي الله تعالى عنهما - فِي صِفَةِ الْوُضُوءِ - قَالَ: ثُمَّ

[1] The fourth of the Rightly Guided Caliphs. He fought all the battles except Tabuk, for the Prophet ﷺ had left him as in-charge in Al-Madīnah. An evildoer called 'Abdur-Rahmān bin Muljam killed him as a martyr on Friday morning 17th Ramadān 40 H. at Kufa.

[2] It is legislated to wipe the head (*Mash*) only one time. Some scholars hold that wiping the head three times is also legislated.

[3] He was an *Ansāri* belonging to Bani Māzin from An-Najār clan. He fought at Uhud and killed Musailima Al-Kadhdhāb together with Wahshi on Al-Yamāma Day. He was killed on the day of Al-Harrah in 63 H.

[4] This *Hadīth* tells us that *Mash* (wiping) of head should be started from the front – covering the whole head – and then returning to the starting point.

[5] He is the son of 'Amr bin Al'-Aas Al-Qurashi. He became a Muslim before his father who was older than him by 13 years. He was an *'Aalim* (learned), memorized *Ahadith* and was very pious. He died in the 63 H. or 70 H.

ablution: "Then he (Allāh's Messenger ﷺ) wiped his head, inserted his index fingers in his ears and wiped the exterior of his ears with his thumbs."[1] [Reported by Abū Dā'ud and An-Nasā'i. Ibn Khuzaima graded it *Sahih* (authentic)].

مَسَحَ ﷺ بِرَأْسِهِ وَأَدْخَلَ إِصْبَعَيْهِ السَّبَّاحَتَيْنِ فِي أُذُنَيْهِ، وَمَسَحَ بِإِبْهَامَيْهِ عَلَى ظَاهِرِ أُذُنَيْهِ. أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

34. Narrated Abū Huraira رضي الله عنه: Allāh's Messenger ﷺ said, "When one of you wakes up from his sleep, he must clean his nose (with water, by sniffing it in and then blowing it out) three times, for Satan spends the night inside one's nostrils."[2] [Agreed upon].

(٣٤) وعَنْ أَبِي هُرَيْرَةَ رضي الله تعالى عنه قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا اسْتَيْقَظَ أَحَدُكُمْ مِنْ مَنَامِهِ فَلْيَسْتَنْثِرْ ثَلَاثاً، فَإِنَّ الشَّيْطَانَ يَبِيتُ عَلَى خَيْشُومِهِ». مُتَّفَقٌ عَلَيْهِ.

35. Narrated (Abū Huraira) رضي الله عنه: (Allāh's Messenger ﷺ said,) "When one of you wakes up from his sleep, he must not put his hand in a utensil till he has washed it three times,[3] for he does not know where his hand was (while he slept)." [Agreed upon, and this is Muslim's wording].

(٣٥) وعَنْهُ: «إِذَا اسْتَيْقَظَ أَحَدُكُمْ مِنْ نَوْمِهِ فَلَا يَغْمِسْ يَدَهُ فِي الْإِنَاءِ حَتَّى يَغْسِلَهَا ثَلَاثاً، فَإِنَّهُ لَا يَدْرِي أَيْنَ بَاتَتْ يَدُهُ». مُتَّفَقٌ عَلَيْهِ، وَهَذَا لَفْظُ مُسْلِمٍ.

36. Narrated Laqit bin Sabra رضي الله عنه: Allāh's Messenger ﷺ said, "Perform a perfect *Wudu'* (ablution), run (your fingers) through the fingers (of the hands) as well as between the toes,[4] and sniff

(٣٦) وعَنْ لَقِيطِ بْنِ صَبِرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَسْبِغِ الْوُضُوءَ، وَخَلِّلْ بَيْنَ الأَصَابِعِ، وَبَالِغْ فِي

[1] It means that the ears are to be wiped internally and externally, with the same water used for wiping the head. The side close to the head is external and near the face is internal. At-Tirmidhi – after narrating the *Hadīth* concerning wiping of the ears internally and externally – says: The religious scholars act in accordance with this *Hadīth*.

[2] Satan's spending the night inside the nostrils of a man is plausible. However, its actual state is better known to Allāh. It may be that this is a figurative expression, because bad excretions gather in the nose and cause laziness, indolence, slackness and negligence. And all these states are satanic dispositions. Blowing water out of the nose upon awakening from sleep might be performed as an individual act, or along with ablution. It is considered obligatory by Ahmad, while the majority of scholars consider it *Sunnah*.

[3] It means that hands should not be dipped in the ablution water container, as the word 'ablution' is present in some of the *Ahādith* narrated by Bukhāri. Allamah Ibn Hajar, in his book *Fath Al-Bāri*, says: Although this *Hadīth* apparently seems to be related to the utensils of ablution, it includes all other utensils and bathing water containers. However, if there is a big pool or tank of water then it is permissible to immerse hands in it. This is applicable whether one awakens from the sleep during the night or day. However, Ahmad views it as obligatory upon awakening from sleep of the night.

[4] It means that both fingers and toes should be washed completely and carefully. It also shows the obligation of performing ablution perfectly, washing every member required in

water up well inside the nose, unless you are fasting." [Reported by *Al-Arba'a,*[1] and Ibn Khuzaima graded it *Sahih* (authentic)]. In another narration, Abū Dā'ud has: "If you perform ablution, then rinse your mouth."

الاسْتِنْشَاقِ إِلَّا أَنْ تَكُونَ صَائِماً». أَخْرَجَهُ الأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ. وَلأَبِي دَاوُدَ فِي رِوَايَةٍ: «إِذَا تَوَضَّأْتَ فَمَضْمِضْ».

37. Narrated 'Uthmān ﷺ: While performing *Wudu'*, the Prophet ﷺ would run (his) fingers through his beard.[2] [Reported by At-Tirmidhi, and Ibn Khuzaima graded it *Sahih* (authentic)].

(٣٧) وعَنْ عُثْمَانَ رضي الله تعالى عنه: أَنَّ النَّبِيَّ ﷺ كَانَ يُخَلِّلُ لِحْيَتَهُ فِي الوُضُوءِ. أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

38. Narrated 'Abdullāh bin Zaid ﷺ: Two-thirds of a *Mudd*[3] (of water) was brought to the Prophet ﷺ (for ablution) so he was rubbing his forearms (between the wrist and the elbow). [Reported by Ahmad, and Ibn Khuzaima graded it *Sahih* (authentic)].

(٣٨) وَعَنْ عَبْدِ اللهِ بْنِ زَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: أَنَّ النَّبِيَّ ﷺ أُتِيَ بِثُلُثَيْ مُدٍّ فَجَعَلَ يَدْلُكُ ذِرَاعَيْهِ. أَخْرَجَهُ أَحْمَدُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

39. Narrated ('Abdullāh bin Zaid) ﷺ: He saw the Prophet ﷺ taking some water to wipe his ears, other than the water he had taken to wipe his head. [Reported by Al-Baihaqi, who said that its *Isnād* (chain of narrators) is authentic, At-Tirmidhi also graded it *Sahih* (authentic)].

(٣٩) وعَنْهُ: أَنَّهُ رَأَى النَّبِيَّ ﷺ يَأْخُذُ لأُذُنَيْهِ مَاءً خِلَافَ المَاءِ الَّذِي أَخَذَهُ لِرَأْسِهِ. أَخْرَجَهُ البَيْهَقِيُّ، وَقَالَ: إِسْنَادُهُ صَحِيحٌ، وَصَحَّحَهُ التِّرْمِذِيُّ أَيْضاً.

It has been reported by Muslim, through the same chain as Al-Baihaqi's, with the wording: "he wiped his head with water other than the water remaining from the washing of the hands," and this narration (of Muslim)

وَهُوَ عِنْدَ مُسْلِمٍ مِنْ هَذَا الوَجْهِ بِلَفْظِ: وَمَسَحَ بِرَأْسِهِ بِمَاءٍ غَيْرِ فَضْلِ يَدَيْهِ. وَهُوَ المَحْفُوظُ.

---

ablution, and washing the mouth and nose thoroughly except the fasting person.

[1] Abu Dā'ud, Tirmidhi, Nasā'i and Ibn Mājah.

[2] During the performance of ablution, combing of beard with the fingers is *Sunnah* (supererogatory) and not *Wājib* (compulsory) according to most of the Companions, as reported by Al-Bukhari.

[3] This is the least quantity of water mentioned for ablution. In some *Ahādith* [Muslim reported from Safina], a full *Mudd* (مد) has been mentioned. One *Mudd* is about six hundred grams. No maximum limit of water has been fixed. Therefore, any amount of water may be used for ablution and bath. However, one must avoid waste. This *hadīth* also shows that it is legislated to rub the parts of the body which are washed in ablution. Some scholars hold that it is obligatory.

is *Al-Mahfuz* (i.e. the correct narration - which is acted upon; not the one reported by Al-Baihaqi).

40. Narrated Abū Huraira ﷺ: I heard Allāh's Messenger ﷺ saying, "My people will come on the Day of Resurrection with radiant faces, hands and feet from the traces of *Wudu'* (ablution). If any of you can extend his brightness,[1] let him do so." [Agreed upon and this is Muslim's wording].

(٤٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «إِنَّ أُمَّتِي يَأْتُونَ يَوْمَ القِيَامَةِ غُرًّا مُحَجَّلِينَ مِنْ أَثَرِ الوُضُوءِ، فَمَنِ اسْتَطَاعَ مِنْكُمْ أَنْ يُطِيلَ غُرَّتَهُ فَلْيَفْعَلْ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

41. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ loved to begin with the right while putting on his shoes, combing his hair, in his purification and in all his affairs.[2] [Agreed upon].

(٤١) وعَنْ عَائِشَةَ رَضِي الله تعالى عنها قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يُعْجِبُهُ التَّيَمُّنُ فِي تَنَعُّلِهِ وَتَرَجُّلِهِ وَطُهُورِهِ، وَفِي شَأْنِهِ كُلِّهِ. مُتَّفَقٌ عَلَيْهِ.

42. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "When you perform ablution, begin with your right limbs." [Reported by *Al-Arba'a*[3] and graded *Sahih* (authentic) by Ibn Khuzaima].

(٤٢) وعَنْ أَبِي هُرَيْرَةَ رضي الله تعالى عنه قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا تَوَضَّأْتُمْ فَابْدَءُوا بِمَيَامِنِكُمْ». أَخْرَجَهُ الأَرْبَعَةُ وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

43. Narrated Al-Mughira bin Shu'ba[4] ﷺ: The Prophet ﷺ performed ablution and passed wet hands on his forelock, over the turban and over the two leather socks.[5] [Reported by Muslim].

(٤٣) وعَنِ المُغِيرَةِ بْنِ شُعْبَةَ رضي الله تعالى عنه، أَنَّ النَّبِيَّ ﷺ تَوَضَّأَ فَمَسَحَ بِنَاصِيَتِهِ وَعلَى العِمَامَةِ وَالخُفَّيْنِ. أَخْرَجَهُ مُسْلِمٌ.

44. Narrated Jābir bin 'Abdullāh ﷺ[6]

(٤٤) وعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رضي الله تعالى

---

[1] It may have more than one meaning. It may mean washing of limbs more than the minimum limits, for example, washing of hands up to the shoulders and washing of feet up to the knees, as was understood by Abū Huraira ﷺ. It may also mean that every limb should be washed three times, instead of washing it one time - the minimum limit for washing. It may also mean to perform ablution again and again or to remain with ablution all the time.

[2] This mode of action of the noble Prophet ﷺ was for noble actions, for other actions like coming out of mosque and entering a toilet etc., one should proceed with the left foot first.

[3] Abū Dā'ud, Tirmidhi, Nasā'i and Ibn Mājah.

[4] Abū 'Abdullah or Abū 'Īsa, Al-Mughira bin Shu'ba bin Mas'ūd Ath-Thaqafi was a prominent *Sahābi*. He became a Muslim in the year of the *Khandaq* (trench) and migrated. He first participated in Al-Hudaibiya. He died in 50 H. in Kūfa.

[5] This *Hadīth* makes it clear that wiping over a turban is legislated. There are two forms of it. First, to wipe partly on the turban and partly on the forelock. There is no difference of opinion on this form of action. Secondly, to wipe over the turban alone. There is a difference of opinion on this, but it is supported by a *Sahih Hadīth* narrated by Tirmidhi, and it is the opinion of Ahmad and Ibn Al-Qayyim.

[6] Jābir was an *Ansāri* from Sulami clan and he was nicknamed Abū 'Abdullāh. He was among the eminent *Sahāba*. He fought at Badr though some said that he witnessed neither

regarding the description of the *Hajj* (pilgrimage) of the Prophet ﷺ: He (ﷺ) said, "Begin with what Allāh had begun with."[1] [Reported by An-Nasā'i in this way – in the command form *(al-amr)* while Muslim has reported it in the informative form *(al-khabar)*[2]].

عنهما - فِي صِفَةِ حَجِّ النَّبِيِّ ﷺ - قَالَ ﷺ: «ابْدَءُوا بِمَا بَدَأَ اللَّهُ بِهِ». أَخْرَجَهُ النَّسَائِيُّ هَكَذَا بِلَفْظِ الأَمْرِ، وَهُوَ عِنْدَ مُسْلِمٍ بِلَفْظِ الخَبَرِ.

45. Narrated (Jabir bin 'Abdullāh) ؓ: The Prophet ﷺ used to run the water down his elbows while performing ablution. [Reported by Ad-Dāraqutni with a *Da'if* (weak) chain of narrators].

(٤٥) وعَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ إِذَا تَوَضَّأَ أَدَارَ المَاءَ عَلَى مِرْفَقَيْهِ. أَخْرَجَهُ الدَّارَقُطْنِي بِإِسْنَادٍ ضَعِيفٍ.

46. Narrated Abū Huraira ؓ: Allāh's Messenger ﷺ said, "There is no *Wudu'* (ablution) for one who does not mention Allāh's Name upon it[3] ."[Reported by Ahmad, Abū Dā'ud and Ibn Mājah with a weak chain of narrators]. At-Tirmidhi reported something similar to the above from Sa'īd bin Zaid[4] and Abū Sa'īd. Ahmad said: There is nothing authenticated concerning this matter.]

(٤٦) وعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا وُضُوءَ لِمَنْ لَمْ يَذْكُرِ اسْمَ اللَّهِ عَلَيْهِ». أَخْرَجَهُ أَحْمَدُ وَأَبُو دَاوُدَ وَابْنُ مَاجَه بِإِسْنَادٍ ضَعِيفٍ. وَالتِّرْمِذِيُّ عَنْ سَعِيدِ ابْنِ زَيْدٍ وَأَبِي سَعِيدٍ نَحْوَهُ. وَقَالَ أَحْمَدُ: لَا يَثْبُتُ فِيهِ شَيْءٌ.

47. Narrated Talha bin Musarrif,[5]

(٤٧) وعَنْ طَلْحَةَ بْنِ مُصَرِّفٍ عَنْ أَبِيهِ عَنْ

Badr nor Uhud, but took part in those battles that followed them. He was also at Siffīn. He was among the memorizers of many *Ahādith*. He became blind towards the end of his life, and died in 74 H. at the age of 94 years. It is reported that he was the last *Sahābi* to die at Al-Madīnah.

[1] The Noble Qur'ān has mentioned As-Safa in the first place among As-Safa and Al-Marwa. The noble Prophet ﷺ started *Sa'i* (running between Safa and Marwa during *Hajj* and *'Umrah*) from the Safa side. Hence, one should start ablution in the same manner, starting from washing of the face, then hands up to elbows; then wipe the head and wash the feet – following the order mentioned in the Qur'an.

[2] In Muslim's narration the word بدا has been used in the Arabic text, in the sense of giving information (i.e. I begin with...) instead of the command form (i.e. Begin with...), as in the narration of An-Nasa'i.

[3] In this regard, there exist supporting *Ahādith* (though weak) which strengthen one another concerning the pronouncement of بسم الله before performing ablution. The correct position is that the pronouncement of بسم الله is *Sunnah,* according to the *Hanafiya* and *Shafi'iya* schools. Ahmad holds that it is obligatory for the one who remembers to do so, while the one who forgets is pardoned.

[4] He is Sa'īd bin Zaid bin 'Amr Al-Qurashi, nicknamed Abū Al-A'war and is one of the ten who were promised Paradise. He accepted Islam very early and was married to Fatima, the sister of 'Umar, and they were both instrumental in 'Umar becoming a Muslim. He fought all the battles except Badr, because he was away looking for the caravan. He died in 51 H. and was buried at Al-Baqi'.

[5] He is Abū Muhammad or Abū 'Abdullāh Talha bin Musarrif. He was a reliable *Tābi'i* (see

quoting his father on the authority of his grandfather[1]: "I saw Allāh's Messenger ﷺ rinsing his mouth and sniffing water up his nose and then blowing it out with separate scoops[2] of water." [Reported by Abū Dā'ud with a *Da'if* (weak) chain of narrators].

جَدِّهِ قَالَ: رَأَيْتُ رَسُولَ اللهِ ﷺ يَفْصِلُ بَيْنَ الْمَضْمَضَةِ وَالاِسْتِنْشَاقِ. أَخْرَجَهُ أَبُو دَاوُدَ بِإِسْنَادٍ ضَعِيفٍ.

48. Narrated 'Ali ﷺ regarding the description of *Wudu'* (ablution): The Prophet ﷺ rinsed (his mouth) and cleaned (his nose) sniffing up the water and then blowing it out three times. He sniffed up and blew his nose with the same hand from which he took the water. [Reported by Abū Dā'ud and An-Nasā'i].

(٤٨) وعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي صِفَةِ الوُضُوءِ -: ثُمَّ تَمَضْمَضَ ﷺ وَاسْتَنْثَرَ ثَلاثاً، يُمَضْمِضُ وَيَنْثُرُ مِنَ الكَفِّ الَّذِي يَأْخُذُ مِنْهُ المَاءَ. أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ.

49. Narrated 'Abdullāh bin Zaid ﷺ regarding *Wudu'* (ablution): The Prophet ﷺ put his hand (in the utensil) rinsed (his mouth) and cleaned (his nose) from one scoop (of water) (sniffing it up and blowing it out). He did that three times. [Agreed upon].

(٤٩) وعَنْ عَبْدِ اللهِ بْنِ زَيْدٍ رضي الله تعالى عنه - فِي صِفَةِ الوُضُوءِ -: ثُمَّ أَدْخَلَ ﷺ يَدَهُ فَمَضْمَضَ وَاسْتَنْشَقَ مِنْ كَفٍّ وَاحِدٍ، يَفْعَلُ ذَلِكَ ثَلاثاً. مُتَّفَقٌ عَلَيْهِ.

50. Narrated Anas ﷺ: The Prophet ﷺ saw a man on whose foot appeared a portion like the size of a fingernail which was not touched by water. He then said, "Go back and perform your *Wudu'* (ablution) properly.[3]" [Reported by Abū Dā'ud and An-Nasā'i].

(٥٠) وَعَنْ أَنَسٍ رضي الله تعالى عنه قَالَ: رَأَى النَّبِيُّ ﷺ رَجُلاً وَفِي قَدَمِهِ مِثْلَ الظُّفْرِ لَمْ يُصِبْهُ المَاءُ، فَقَالَ: «ارْجِعْ فَأَحْسِنْ وُضُوءَكَ». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ.

glossary) of the 5th grade. He was a righteous reciter of the Qur'ān, and died in 112 H. His father Musarrif is *Majhūlu-HāL* (i.e. uncertified as a reliable reporter) and this is one of the causes of this *Hadīth* being considered *Da'if* (weak).

[1] He is called Ka'b bin 'Amr or 'Amr bin Ka'b bin Juhdub Al-Yāmi – descending from a Yamani tribe called Yām of Hamadān. Ibn 'Abdul-Bār said he (Ka'b) settled in Kufa and is a *Sahābi*.

[2] This *Hadīth* suggests that the noble Prophet ﷺ used to take water separately for cleaning the nose and rinsing the mouth. According to the author, this *Hadīth* is *Da'if* (weak). According to Al-Bukhāri and Muslim [see the following *Hadīth*, no. 49], the noble Prophet ﷺ used a single handful of water for rinsing the mouth and cleaning the nose. Imām Nawawi has described five manners of rinsing the mouth and cleaning the nose and considered as correct the manner recorded by Al-Bukhāri and Muslim.

[3] This *Hadīth* makes it clear that *Ghusl* (washing) of the whole foot is obligatory. In a *Hadīth* recorded by Muslim, it is stated that the Fire is for that part of the foot that is dry. In this *Hadīth*, there is repudiation for those who consider the *Mash* (wiping) of foot as proper and acceptable; or those who consider the *Mash* (wiping) and *Ghusl* (washing) both compulsory; or those who consider *Mash* and *Ghusl* both permissible.

51. Narrated (Anas) ؓ: Allāh's Messenger ﷺ used to perform ablution with one *Mudd*[1] (of water) and perform *Ghusl* (bath) with one *Sa'*[2] to five *Mudd* (of water). [Agreed upon].

(٥١) وعَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَتَوَضَّأُ بِالْمُدِّ، وَيَغْتَسِلُ بِالصَّاعِ إِلَى خَمْسَةِ أَمْدَادٍ. مُتَّفَقٌ عَلَيْهِ.

52. Narrated 'Umar[3] ؓ: Allāh's Messenger ﷺ said, "If one of you performs ablution thoroughly, then recites (the following supplication): (***Ash-hadu an lā ilāha ill-Allāhu wahdahu lā sharika lahu, wa ash-hadu anna Muhammadan 'Abduhu wa Rasūluhu***) 'I testify that there is no one worthy of worship but Allāh, He is Alone and has no partner and I testify that Muhammad is His slave and His Messenger,' – all the eight gates of Paradise will be opened for him and he may enter through any gate he wishes." [Reported by Muslim and At-Tirmidhi who added (the following words to the supplication): (***Allāhumma aj'alni minat-tawwabina waj'alni min Al-mutatahhirina***) "Oh Allāh! Include me among those who repent often and those who keep themselves pure"].

(٥٢) وعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَا مِنْكُمْ مِنْ أَحَدٍ يَتَوَضَّأُ فَيُسْبِغُ الْوُضُوءَ، ثُمَّ يَقُولُ: أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ، وَحْدَهُ لَا شَرِيكَ لَهُ، وأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ، إِلَّا فُتِحَتْ لَهُ أَبْوَابُ الْجَنَّةِ». أَخْرَجَهُ مُسْلِمٌ وَالتِّرْمِذِيُّ، وَزَادَ: «اللَّهُمَّ اجْعَلْنِي مِنَ التَّوَّابِينَ وَاجْعَلْنِي مِنَ الْمُتَطَهِّرِينَ».

Chapter 5
Mash (Wiping) over *Khuffain* (Two Leather Socks)

٥ - بَابُ الْمَسْحِ عَلَى الْخُفَّيْنِ

53. Narrated Mughira bin Shu'ba ؓ: Once I was in the company of the Prophet ﷺ. He then performed ablution and I reached down to take off

(٥٣) عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنْتُ مَعَ النَّبِيِّ ﷺ، فَتَوَضَّأَ فَأَهْوَيْتُ لِأَنْزِعَ خُفَّيْهِ، فَقَالَ: «دَعْهُمَا فَإِنِّي أَدْخَلْتُهُمَا

[1] One *Mudd* (مد) is equal to six hundred grams approx., and one *Sa'* (صاع) is equal to a little more than two and a half kilograms, and this is the least quantity to be used. It means that one should be very careful in the use of water.

[2] One *Sa'* is equivalent to 4 *Mudd* or 2660 grams.

[3] The second Guided Caliph who was unique throughout history. He filled the world with wisdom, justice and conquests. He was Quraish's ambassador during the *Jahiliya* (ignorance) period. He accepted Islam in Dhul Hijja, the 6th year of the Prophethood and fought all the battles. He made conquests in Iraq, Persia, Shām, Egypt and other places. He was killed by Abū Lu'lu'a, a slave of Al-Mughira bin Shu'ba and died as a martyr on 1st Muharram 24 H.

his socks (*Khuffain*). He said, "Leave them for I have put them on in a state of purification.[1] " So he wiped over them. [Agreed upon].

طَاهِرَتَيْنِ» فَمَسَحَ عَلَيْهِمَا. مُتَّفَقٌ عَلَيْهِ.

54. *Al-Arba'a* except An-Nasā'i reported from (Al-Mughira): The Prophet ﷺ wiped over the upper part of the leather socks and the under part of it. [There is *Da'f* (weakness) in its chain of narrators].

(٥٤) وللأَرْبَعَةِ عَنْهُ إِلَّا النَّسَائِيَّ: أَنَّ النَّبِيَّ ﷺ مَسَحَ أَعْلَى الخُفِّ وَأَسْفَلَهُ. وَفِي إِسْنَادِهِ ضَعْفٌ.

55. Narrated 'Ali ؓ: If the religion were based on opinion,[2] it would be more fitting to wipe the under parts of the leather socks rather than the upper. However, I have seen Allāh's Messenger ﷺ wiping over the upper parts of his leather socks. [Reported by Abu Dā'ud with a *Hasan* (good) *Isnād* (chain of narrators)].

(٥٥) وعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَوْ كَانَ الدِّينُ بِالرَّأْيِ لَكَانَ أَسْفَلُ الخُفِّ أَوْلَى بِالمَسْحِ مِنْ أَعْلَاهُ، وَقَدْ رَأَيْتُ رَسُولَ اللهِ ﷺ يَمْسَحُ عَلَى ظَاهِرِ خُفَّيْهِ. أَخْرَجَهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ.

56. Narrated Safwan bin 'Assāl[3] ؓ: When we were on a journey,[4] the Prophet ﷺ used to command us not to remove our leather socks (for washing our feet in ablution) for three days and three nights,[5] even if we had to

(٥٦) وَعَنْ صَفْوَانَ بْنِ عَسَّالٍ رضي الله تعالى عنه قَالَ: كَانَ النَّبِيُّ ﷺ يَأْمُرُنا إِذَا كُنَّا سَفْراً أَن لَّا نَنْزِعَ خِفَافَنَا ثَلَاثَةَ أَيَّامٍ ولَيَالِيَهُنَّ إِلَّا مِنْ جَنَابَةٍ، وَلَكِنْ مِنْ غَائِطٍ وَبَولٍ وَنَوْمٍ.

[1] ***Mash*** (wiping) over the upper side of socks is allowed by the general body of Muslim scholars with its conditions. One of those conditions is that one should have put on the socks after performing ablution. Hence, if socks have been worn without performing an ablution then wiping over the socks is not permissible. Also, it should be known that the ***Hadīth***, which indicates wiping the bottom of socks, is not authentic.

[2] It means that the religious commands and prohibitions are based on Revelation (Qur'an and ***Sunnah***) and not on the opinions of men. Hence, one cannot accept or reject the ***Sharī'ah*** rulings based on ones comprehension of them or lack of it. Nonetheless, this does not mean that the commands and prohibitions of religion are necessarily against the intellect and wisdom. This ***Hadith*** also proves that giving a verdict against a ***Sahih*** (authentic) ***Hadīth*** is not allowed. This has been clarified in Islamic Jurisprudence and its principles.

[3] Safwān bin 'Assāl Al-Murādi Al-Jumali was a well-known ***Sahābi*** who had accompanied the Prophet ﷺ in twelve ***Ghazwāt*** (expeditions). He settled at Kufa and it is said that among the ***Sahāba,*** only 'Abdullāh bin Mas'ūd reported ***Hadīth*** from him.

[4] ***Mash*** (wiping) over the socks is proper and legally proven by ***Ahadīth***. There are more than eighty (80) Companions of the noble Prophet ﷺ who have narrated and reported about this topic. ***'Ashra-e-Mubashshara*** (عشرة مبشرة – ten pious companions of the noble Prophet ﷺ who were given the glad tiding of Paradise in this world) are also included in the list of reporters. Ibn 'Abdul-Barr has related the consensus of opinion concerning this issue.

[5] It means that ***Mash*** (wiping) is allowed for a traveler up to three days and nights, and for a resident up to twenty-four hours. This time period allowed for ***Mash*** starts when someone

answer the call of nature (urination or defecation) or slept. However, in case of *Janaabah* (ejaculation or sexual impurity), [he commanded us to remove the leather socks] (in order to take a complete *Ghusl*). [Reported by An-Nasā'i and At-Tirmidhi, and the wording is At-Tirmidhi's. He and Ibn Khuzaima graded it *Sahih* (authentic)].

أَخْرَجَهُ النَّسَائِيُّ وَالتِّرْمِذِيُّ، وَاللَّفْظُ لَهُ، وَابْنُ خُزَيْمَةَ وَصَحَّحَاهُ.

57. Narrated 'Ali ﷺ: The Prophet ﷺ fixed the period of *Mash* (wiping) over the leather socks (*Khifāf* – plural of *Khuff*) for three days and nights for a traveler and one day and a night for the resident person (in a town). [Reported by Muslim].

(٥٧) وعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: جَعَلَ النَّبِيُّ ﷺ ثَلاثَةَ أَيَّامٍ وَلَيَالِيَهُنَّ لِلْمُسَافِرِ، وَيَوْمًا وَلَيْلَةً لِلْمُقِيمِ، يَعْنِي فِي المَسْحِ عَلَى الخُفَّيْنِ. أَخْرَجَهُ مُسْلِمٌ.

58. Narrated Thawbān[1] ﷺ: Allāh's Messenger ﷺ sent out a *Sarīah* (a small group of soldiers) on a military expedition and commanded them to wipe over the turbans[2] and leather socks. [Reported by Ahmad and Abū Dā'ud. Al-Hākim graded it *Sahih* (authentic)].

(٥٨) وعَنْ ثَوْبَانَ رضي الله تعالى عنه قَالَ: بَعَثَ رَسُولُ اللهِ ﷺ سَرِيَّةً فَأَمَرَهُمْ أَنْ يَمْسَحُوا عَلَى العَصَائِبِ، يَعْنِي العَمَائِمَ، وَالتَّسَاخِينِ، يَعْنِي الخِفَافَ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَصَحَّحَهُ الحَاكِمُ.

59. Narrated 'Umar ﷺ in a *Mawqūf*

(٥٩) وعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مَوْقُوفاً،

---

renews their ablution – using the permission of *wiping* over their socks – after having nullified their previous ablution; not from the time of wearing the socks, nor from the time of nullification of ablution. [See: *Rahmat Al-Ummah,* Shaykh Muhammad Abdur-Rahman Ad-Dimashqī, pg. 21; *Fiqh Al-'Ibādāt*, Shaykh Al-Uthaimīn, pg. 117, Question no. 73; *Taysīr Al-'Allām*, Shaykh Abdullah Āl Bassām, *Hadith* no. 22]. The way of carrying out *Mash* (مسح – wiping) is by wetting the hands with water and wiping the upper surface of the foot. Al-Imām As-San'āni says: There are no authentic *Hadīth* concerning the exact manner of wiping, except the (previously mentioned) *Hadith* of 'Ali (no. 55). After the completion of the permitted time or by passing of wind, urine, etc., *Mash* nullifies, and similarly, it is cancelled by all those things that cancel or nullify ablution. *Mash* is resorted to with ablution only, and is not allowed with the performance of *Ghusl* (bath).

[1] He is Thaubān bin Bujdud bin Jahdar, who was nicknamed Abū 'Abdullāh. He was an inhabitant of As-Surāt which is a place between Makkah and Al-Madīnah. It was also said that he was from Himyar. He stayed with the Prophet ﷺ throughout his life, then settled in Shām and later on moved to Hims, in which he died in 54 H.

[2] In the Arabic text the word *'Asā'ib* (عصائب) is used – meaning a bandage which is used for dressing of wounds; or in case of a broken leg or arm, the wrapping over the wooden strips around the broken bone. Here, however, it refers to the *turban*. This *Hadīth* is a proof that wiping over the turban is allowed just as wiping over socks is allowed, as held by Ahmad and others. However, the majority disallows wiping over the turban (contrary to this *Hadīth*). Some said: ...except for some need, such as in cold weather.

report (saying of a companion), and Anas in a *Marfū'* (attributed to the Prophet) *Hadīth*: "If one of you performs ablution and puts on his two leather socks, let him perform *Mash* (wipe) over them (with water) and pray in them, and he may not take them off during washing for ablution, if he so wishes,[1] except (in case of bathing) for *Janābah* (ejaculation or sexual impurity). [Reported by Ad-Dāraqutni and Al-Hākim and the latter graded it *Sahih* (authentic)].

وأنسٍ مَرْفوعاً: «إِذَا تَوَضَّأَ أَحَدُكُمْ وَلَبِسَ خُفَّيْهِ فَلْيَمْسَحْ عَلَيْهِمَا، وَلْيُصَلِّ فِيهِمَا، وَلَا يَخْلَعْهُمَا إِنْ شَاءَ إِلَّا مِنْ جَنَابَةٍ». أَخْرَجَهُ الدَّارَقُطْنِيُّ وَالحَاكِمُ وَصَحَّحَهُ.

60. Narrated Abū Bakra[2] ﷺ: The Prophet ﷺ gave permission for the traveler to perform *Mash* (wiping) over his leather socks for three days and nights and for a non-traveler (resident) for a day and a night, if he had purified himself (by performing ablution) and then put them on (i.e. in a state of purity). [Reported by Ad-Dāraqutni, and graded *Sahih* (authentic) by Ibn Khuzaima].

(٦٠) وعَنْ أَبِي بَكْرَةَ رَضِيَ الله تَعالى عنه عَنِ النَّبِيِّ ﷺ، أَنَّهُ رَخَّصَ لِلْمُسَافِرِ ثَلَاثَةَ أَيَّامٍ وَلَيَالِيَهُنَّ، وَلِلْمُقِيمِ يَوْماً ولَيْلَةً، إِذَا تَطَهَّرَ فَلَبِسَ خُفَّيْهِ، أَنْ يَمْسَحَ عَلَيْهِمَا. أَخْرَجَهُ الدَّارَقُطْنِيُّ وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

61. Narrated Ubai bin 'Imāra[3] ﷺ: I asked, "O Messenger of Allāh, may I wipe over the *Khuffain* (leather socks)?" The Prophet ﷺ replied, "Yes". I asked, "For one day?" He replied, "Yes (for one day)". I again asked, "And for two days?" He replied, "Yes (for two days too)". I again asked, "And for three days?" He replied, "Yes, and as long as you wish". [Reported by Abū Dā'ud, who said, "It is not strong."[4]]

(٦١) وعَنْ أُبَيِّ بْنِ عِمَارَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّهُ قَالَ: يَا رَسُولَ اللهِ! أَمْسَحُ عَلَى الخُفَّيْنِ؟ قَالَ: نَعَمْ، قَالَ: يَوْماً؟ قَالَ: نَعَمْ، قَالَ: ويَوْمَيْنِ؟ قَالَ: نَعَمْ، قَالَ: وثَلَاثَةَ أَيَّامٍ؟ قَالَ: نَعَمْ، وَمَا شِئْتَ. أَخْرَجَهُ أَبُو دَاوُدَ، وَقَالَ: لَيْسَ بِالقَوِيِّ.

[1] 'If he so wishes' is applicable within the permitted time for *Mash* (wiping). After completion of the time allowed for *Mash*, it is a must to take off the socks and perform ablution afresh including washing the feet, and then one may put the socks on again.

[2] His name is Nufai' bin Al-Hārith or bin Al-Masrūh. He descended from Tā'if Fort together with a group of slaves and became a Muslim, whereupon the Prophet ﷺ freed him. He was among the virtuous *Sahāba* and died at Basra in 51 H. or 52 H.

[3] Ubai bin Imāra was a *Sahābi* from the *Ansār* of Al-Madīnah. He settled in Egypt. Ibn Hibbān said, He prayed to the two *Qiblahs*, but I do not rely upon the chain of narrators for his *Hadīth*."

[4] The *Sanad* (سند – chain of transmission) of this *Hadīth* is not authentic – according to many scholars including Al-Bukhari, Ahmad, Ad-Dāraqutni, Ibn Hibban, Ibn Abdul-Barr, etc. –

Chapter 6 The Nullification[1] of *Wudu'* (Ablution)

٦ - بَابُ نَوَاقِضِ الوُضُوءِ

62. Narrated Anas ﷺ: The Companions of Allāh's Messenger ﷺ in his lifetime used to wait for the *'Ishā'* (night) prayer, so much so that their heads were lowered down (by dozing).[2] They would then pray without performing ablution.[3] [Reported by Abū Dā'ud, and Ad-Dāraqutni graded it *Sahih* (authentic). Its basic meaning is in Muslim].

(٦٢) عَنْ أَنَسٍ رضي الله تعالى عنه قَالَ: كَانَ أَصْحَابُ رَسُولِ الله ﷺ عَلَى عَهْدِهِ يَنْتَظِرُونَ العِشَاءَ. حتَّى تَخْفِقَ رُءُوسُهُم، ثُمَّ يُصَلُّونَ وَلَا يَتَوَضَّئُونَ. أَخْرَجَهُ أَبُو دَاوُدَ وَصَحَّحَهُ الدَّارَقُطْنِيُّ، وَأَصْلُه فِي مُسْلِمٍ.

63. Narrated 'Aisha ﷺ: Fātima bint Abū Hubaish[4] came to the Prophet ﷺ and said, "O Messenger of Allāh, I am a woman whose blood keeps flowing (even after the menstruation period).[5] I am never purified. Should I, therefore, abandon the prayers?" He (the Prophet) said, "No, for that is only (blood from) a vein, and is not menstruation. So, when the

(٦٣) وعَنْ عَائِشَةَ رَضِيَ اللهُ تَعَالَى عَنْهَا قَالَتْ: جَاءَتْ فَاطِمَةُ بِنْتُ أَبِي حُبَيْشٍ إِلَى النَّبِيِّ ﷺ فَقَالَتْ: يَا رَسُولَ اللهِ! إِنِّي امْرَأَةٌ أُسْتَحَاضُ فَلَا أَطْهُرُ، أَفَأَدَعُ الصَّلَاةَ؟ قَالَ: «لَا، إِنَّمَا ذَلِكِ عِرْقٌ وَلَيْسَ بِحَيْضٍ، فَإِذَا أَقْبَلَتْ حَيْضَتُكِ فَدَعِي الصَّلَاةَ، وإِذَا أَدْبَرَتْ فَاغْسِلِي عَنْكِ الدَّمَ ثُمَّ صَلِّي». مُتَّفَقٌ عَلَيْهِ.

---

whereas the *Hadīth* in which the period of one day (twenty-four hours) for a resident and three days (seventy-two hours) for a traveler is granted is authentic. This *Hadīth* was not taken as an evidence for these two reasons, i.e. its weakness and its contradicting the authentic *Hadīth* that fixed the allowed duration for wiping. An-Nawawi has mentioned in *Sharh Al-Muhadhdhab* that the *Imāms* have agreed on the weakness of this *Hadīth*, and Ahmad said, Its narrators are unknown.

[1] All those causes which invalidate the *Wudu'* (ablution) also invalidate the *Tayammum* (purification with clean soil in case water is not available), since *Tayammum* is a substitute for ablution.

[2] It proves that ablution is not cancelled by dozing.

[3] Whether or not sleep nullifies ablution is a controversial issue. The reconciliation between the *Hadīth of Safwan* (no. 56) which indicates nullification, and the present *Hadīth* of *Anas* (no. 62) which indicate that it does not nullify ablution, is that with a sound sleep ablution is nullified, otherwise it is not.

[4] Fātima bint Abū Hubaish is a *Sahābiya* from Quraish and then Asad. Her father is Qais bin 'Abdul-Muttalib bin Asad bin 'Abdul-'Uzza bin Qusai. She was a renowned *Muhajira* and was married to 'Abdullah bin Jahsh.

[5] Vaginal bleeding is of three types: 1) *Haid* (حيض) – Blood of the regular monthly menstrual course which starts at the age of puberty. This type of blood ceases during the period of pregnancy. 2) *Nifās* (نفاس) – Puerperal blood coming after childbirth, which lasts maximum for forty days. 3) *Istihāda* (استحاضة) – The blood which may happen to come from other than the above two types. The blood referred to here is the last mentioned.

menstruation comes, abstain from prayers, and when it ends, wash the blood from your self and then pray." [Agreed upon].

وَلِلْبُخَارِيِّ: «ثُمَّ تَوَضَّئِي لِكُلِّ صَلَاةٍ». وَأَشَارَ مُسْلِمٌ إِلَىٰ أَنَّهُ حَذفَهَا عَمَداً.

Al-Bukhāri has: "Then perform ablution for every prayer."[1] Muslim indicated that he dropped this addition deliberately.

64. Narrated 'Ali bin Abi Tālib ﷺ: I was one whose *Madhi* (urethral discharge)[2] flowed readily. Hence, I asked Miqdād[3] to ask the Prophet ﷺ (about it). He (the Prophet) said: "One should perform *Wudu'* (ablution) in this case." [Agreed upon. The wording is Al-Bukhāri's].

(٦٤) وعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رضي الله تعالى عنه قَالَ: كُنْتُ رَجُلاً مَذَّاءً فَأَمَرتُ المِقْدَادَ أن يَسْأَلَ النَّبِيَّ ﷺ، فَسَأَلَهُ، فَقَالَ: فِيهِ الوُضُوءُ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

65. Narrated 'Aisha ﷺ: The Prophet ﷺ kissed[4] one of his wives and went to pray without performing (fresh) ablution. [Reported by Ahmad. Al-Bukhāri graded it *Da'if* (weak)].

(٦٥) وَعَنْ عَائِشَةَ رضي الله تعالى عنها، أَنَّ النَّبِيَّ ﷺ قَبَّلَ بَعْضَ نِسَائِهِ ثُمَّ خَرَجَ إِلَى الصَّلَاةِ وَلَمْ يَتَوَضَّأْ. أَخْرَجَهُ أَحْمَدُ وَضَعَّفَهُ البُخَارِيُّ.

66. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "If one of you feels disturbance in his stomach and doubts whether he has released some air or

(٦٦) وعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسولُ اللهِ ﷺ: «إِذَا وَجَدَ أَحَدُكُمْ فِي بَطْنِهِ شَيْئاً فَأَشْكَلَ عَلَيْه، أَخَرَجَ مِنْهُ شَيْءٌ أَمْ

[1] It means that the *Istihāda* (استحاضة) blood invalidates the ablution, and that is why the noble Prophet ﷺ ordered her to perform a fresh ablution for every prayer. In some of the authentic narrations, it is mentioned that the woman in this condition – after completing her menstrual course – must wash the blood from her body, perform a *Ghusl* (complete bath) and then return to the performance of her daily prayers. This is because *Istihāda* (استحاضة) blood – unlike *Haid* (حيض) (menstrual bleeding) – does not prevent the woman from prayers.

[2] *Madhi* (مذي) is a white water like lubricant which oozes out involuntarily at the time of sexual desire or foreplay. This urethral discharge invalidates the ablution, but is not a cause for obligatory bath.

[3] Miqdād bin 'Amr bin Tha'laba Al-Bahrāni was nicknamed Abul-Aswad or Abū 'Amr and is known as Al-Miqdād bin Al-Aswad. Al-Aswad bin Yaghuth Az-Zuhri had fostered and entered into a defense agreement with Miqdād in the *Jahiliya* days. He was among the virtuous, wise and eminent *Sahāba*. He was the sixth Muslim, made the two migrations and attended all the major battles. He was a horseman during Badr and participated in the conquest of Egypt. He died at the age of 70 in 33 H. at Al-Jauf, three miles from Al-Madīna so he was carried to Al-Madīna. 'Uthmān offered the Funeral prayer, and he was buried at Al-Baqi'.

[4] This *Hadīth* confirms that ablution is not cancelled by touching a woman with or without lust. This is supported by a report of Imām Bukhāri narrated by 'Aisha ﷺ: The Prophet ﷺ was praying in the darkness and I was laying at rest while my feet were at the place where the Prophet ﷺ prostrated (on his prayer-mat). At the time of prostration he would touch my feet and I would remove them.

not, then he must not leave the mosque unless he hears (its) sound or smells (its) odor."[1] [Reported by Muslim].

لا؟ فَلَا يَخْرُجَنَّ مِنَ الْمَسْجِدِ، حَتَّى يَسْمَعَ صَوْتًا أَوْ يَجِدَ رِيحًا». أَخْرَجَهُ مُسْلِمٌ.

67. Narrated Talq bin 'Ali[2] (رضي الله عنه): A man said: "I touched my penis" or he said, "Must a man who touched his penis during the prayer perform *Wudu'* (ablution)?" The Prophet ﷺ replied, "No, it is only a part of your body." [Reported by *Al-Khamsa*.[3] Ibn Hibbān graded it *Sahih* (authentic) and Ibn Al-Madini said, "It is better than the *Hadīth* of Busra" (which follows)].

(٦٧) وعَنْ طَلْقِ بْنِ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَجُلٌ: مَسَسْتُ ذَكَرِي، أَوْ قَالَ: الرَّجُلُ يَمَسُّ ذَكَرَهُ فِي الصَّلَاةِ أَعَلَيْهِ وُضُوءٌ؟ فَقَالَ النبيُّ ﷺ: «لَا إِنَّمَا هُوَ بَضْعَةٌ مِنْكَ». أَخْرَجَهُ الْخَمْسَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَقَالَ ابْنُ المديني: هُوَ أَحْسَنُ مِنْ حَدِيثِ بُسْرَةَ.

68. Narrated Busra bint Safwān[4] (رضي الله عنها): Allāh's Messenger ﷺ said, "He who touches his penis must perform ablution."[5] [Reported by *Al-Khamsa*. and At-Tirmidhi and Ibn Hibbān graded it *Sahih* (authentic). Al-Bukhāri said, "It is the most authentic (*Hadīth*) concerning this issue"].

(٦٨) وعَنْ بُسْرَةَ بِنْتِ صَفْوَانَ رضي الله تعالى عنها أَنَّ رَسُولَ الله ﷺ قَالَ: «مَنْ مَسَّ ذَكَرَهُ فَلْيَتَوَضَّأْ». أَخْرَجَهُ الْخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ، وَقَالَ الْبُخَارِيُّ: هُوَ أَصَحُّ شَيْءٍ فِي هَذَا الْبَابِ.

69. Narrated 'Aisha (رضي الله عنها): Allāh's Messenger ﷺ said, "Whoever vomits, bleeds through the nose,[6] or releases *Madhi* (urethral discharge) should go away, perform ablution and then complete his *Salāt* (prayer)[7] (by continuing

(٦٩) وعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «مَنْ أَصَابَهُ قَيْءٌ أَوْ رُعَافٌ أَوْ قَلَسٌ أَوْ مَذْيٌ، فَلْيَنْصَرِفْ فَلْيَتَوَضَّأْ، ثُمَّ لِيَبْنِ عَلَى صَلَاتِهِ، وَهُوَ فِي ذَلِكَ لَا يَتَكَلَّمُ».

---

[1] This *Hadīth* points out an important principle: That everything remains in its original condition until there is a certain change in it. And that suspicion carries no weight after certainty. This *Hadīth* is equally applicable to one in prayer as well as one not praying.

[2] He is Abū 'Ali Talq bin 'Ali bin Talq bin 'Amr Al-Hanafi As-Siheimi Al-Yamāmi. He visited the Prophet ﷺ as soon as he arrived at Al-Madīnah and worked with him in building the Prophet's Mosque.

[3] Ahmad, Abu Dā'ud, Tirmidhi, Nasā'i and Ibn Mājah.

[4] Busra bint Safwān bin Naufal bin Asad bin 'Abdul-'Uzza Al-Qurashiya Al-Asadiya was a *Sahābiya*, among the first Muslims, migrated early and lived till the caliphate of Mu'āwiya.

[5] The foregoing *Hadīth* of Talq bin 'Ali seems to be contradictory to this one, but in fact it is not. If the organ is touched uncovered or with lustful intention, then the ablution is nullified, otherwise it is not.

[6] This *Hadīth* is *Da'if* (weak), and there is no *Sahih* (authentic) *Hadīth* concerning this issue.

[7] It means that if a man prayed two *Rak'a* with the *Imām* (leader of prayer) and it happens that his ablution is cancelled, he should leave the prayer. Then, after making a fresh ablution he joins again with the *Imām* in the same part of prayer where he left, then he should finish

from where he had stopped at) on condition that he does not speak in the process." [Reported by Ibn Mājah. Ahmad and others graded it *Da'if* (weak)].

أَخْرَجَهُ ابْنُ مَاجَه، وَضَعَّفَهُ أَحْمَدُ وَغَيرُهُ.

70. Narrated Jābir bin Samura[1] ﷺ: A man asked the Prophet ﷺ, "Should I perform ablution after eating mutton?" He replied, "If you wish so". He then asked, "Should I perform ablution after eating camel meat?"[2] He (ﷺ) said, "Yes." [Reported by Muslim].

(٧٠) وَعَنْ جَابِرِ بْنِ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَجُلاً سَأَلَ النَّبِيَّ ﷺ: أَتَوَضَّأُ مِنْ لُحُومِ الغَنَمِ؟ قَالَ: إِنْ شِئْتَ. قَالَ: أَتَوَضَّأُ مِنْ لُحُومِ الإِبِلِ؟ قَالَ: نَعَمْ. أَخْرَجَهُ مُسْلِمٌ.

71. Narrated Abū Huraira ﷺ: The Prophet ﷺ said: "Whoever washes a dead person[3] should take a bath (thereafter); and whoever carries it should perform ablution." [Reported by Ahmad, An-Nasā'i and At-Tirmidhi who graded it *Hasan* (good). Ahmad said that there is no authentic *Hadīth* in this chapter].

(٧١) وعَنْ أَبِي هُرَيرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ النَّبِيُّ ﷺ: «مَنْ غَسَّلَ مَيِّتاً فَلْيَغْتَسِلْ، وَمَنْ حَمَلَهُ فَلْيَتَوَضَّأْ». أَخْرَجَهُ أَحْمَدُ وَالنَّسَائِيُّ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ، وَقَالَ أَحْمَدُ: لَا يَصِحُّ شَيءٌ فِي هَذَا البَابِ.

72. Narrated 'Abdullah bin Abi Bakr[4] ﷺ: The book written by Allāh's Messenger ﷺ for 'Amr bin Hazm[5] also contained: "None except a *Tāhir*

(٧٢) وعَنْ عَبْدِ اللهِ بنْ أَبِي بَكْرٍ رضي الله تعالى عنهما أَنَّ فِي الكِتَابِ الَّذِي كَتَبَهُ رَسولُ اللهِ ﷺ لِعَمْرِو بْنِ حَزْمٍ: أَنْ لَّا يَمَسَّ القُرْآنَ

---

the prayer with the *Imām*. This is the opinion of *Hanafiya* and *Mālikiya*. However, the *Hadīth* is both weak as well as contradictory to authentic *Hadīth*, and therefore can not be used as a proof to support this opinion.

[1] He is a famous *Sahābi* and the son of Sa'd bin Abi Waqqās' sister. He settled at Kufa and built a house there. He died in 74 H. or 66 H. His father Samura bin Junada As-Sawai Al-'Aamiri is also a *Sahābi*.

[2] Some understand this to refer to the complete ablution, while others understand it to refer to the rinsing of the mouth (only) since the noble Prophet ﷺ pointed out fat as its cause and fat always sticks to the mouth only. This *Hadīth* is a proof that eating camel meat nullifies ablution. This is the opinion of the scholars of *Hadīth* including Ahmad, Ash-Shāfi'i and Al-Baihaqi.

[3] There are no authentic *Ahādīth* concerning this issue. Hence, the scholars differed widely. Some say that bath is compulsory on one who washes the dead body; others are of the opinion that bath is only desirable; still others view ablution as compulsory; and still others consider even ablution as unnecessary.

[4] 'Abdullāh bin Abū Bakr bin Muhammad bin 'Amr bin Hazm Al-Ansāri Al-Madani Al-Qādi was a *Tabi'i* of the 5th grade. He died in 135 H. at the age of 70 years.

[5] He is a Khazraji, a Najāri and is nicknamed Abū Ad-Dahhāk. He first took part in *Al-Khandaq* and the Prophet ﷺ sent him to Najrān to teach the people about the religion and collect their *Sadaqāt*. He wrote for them a book containing the obligatory and voluntary acts, the *Sadaqāt* and the bloodwit, and this is the book mentioned in the *Hadīth*. He died in Al-Madīnah after the fifties.

(pure) person should touch the Qur'ān."[1] [Reported by Mālik as a *Mursal* (missing link in the chain after the Tābi'i) and by An-Nasā'i and Ibn Hibbān as *Mawsul* (unbroken chain). And it is graded as *Ma'lul* (defective)].

إِلَّا طَاهِرٌ. رَوَاهُ مَالِكٌ مُرْسَلاً، وَوَصَلَهُ النَّسَائِيُّ وابْنُ حِبَّانَ، وَهُوَ مَعْلُولٌ.

73. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ used to mention Allāh's Name (praise Him) at all times.[2] [Reported by Muslim. Al-Bukhāri recorded it as *Mu'allaq* (broken chain from the side of the *Hadīth* collector)].

(٧٣) وعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَذْكُرُ اللَّهَ عَلَى كُلِّ أَحْيانِهِ. رَوَاهُ مُسْلِمٌ، وَعَلَّقَهُ البُخارِيُّ.

74. Narrated Anas bin Mālik ﷺ: The Prophet ﷺ had blood extracted from his body[3] and offered the prayer and did not perform (a new) ablution. [Reported by Ad-Dāraqutni who graded it *Layyin* (weak)].

(٧٤) وعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: أَنَّ النَّبِيَّ ﷺ احْتَجَمَ وَصَلَّى، وَلَمْ يَتَوَضَّأْ. أَخْرَجَهُ الدَّارَقُطْنِيُّ، وَلَيَّنَهُ.

75. Narrated Mu'āwiya[4] ﷺ: Allāh's Messenger ﷺ said, "The eye (when awake) is the tie-string of the anus (to stop air escaping), and if the two eyes sleep the string is untied."[5] [Reported by Ahmad and At-Tabarāni

(٧٥) وعَنْ مُعَاوِيَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «العَيْنُ وِكَاءُ السَّهِ، فَإِذَا نَامَتِ العَيْنَانِ اسْتَطْلَقَ الوِكَاءُ». رَوَاهُ أَحْمَدُ وَالطَّبَرَانِيُّ، وَزَادَ: «وَمَنْ نَامَ فَلْيَتَوَضَّأْ».

[1] *Hadath Akbar* (حدث أكبر – sexual discharge) and *Hadath Asghar* (حدث أصغر – passing wind, urine or defecation) both necessitate purification. If the *Hadath* (state of impurity) is that which requires *Ghusl* (e.g. sexual intercourse) then it is almost unanimously agreed not to touch the noble Qur'ān (*Mushaf*). However, there is a difference of opinion about touching the *Mushaf* if the *Hadath* (state of impurity) is that which only requires ablution (e.g. passing wind). In any case, there is no clear (*sarīh*) and authentic (*sahīh*) *Hadīth* that distinguishes between the major and minor states of impurity – in reference to this issue of touching the *Mushaf*.

[2] This is not applicable to one engaged in the act of sexual intercourse, answering the call of nature, urinating etc. However, while one is in the state of impurity due to sexual intercourse, remembrance and pronouncing the Name of Allāh is permissible, but touching and reciting the noble Qur'ān is prohibited – according to the majority of scholars.

[3] This *Hadīth* shows that blood – except from the two openings (i.e. vagina and anus) – does not invalidate ablution. *Ahādīth* of similar meaning have also been narrated by Ibn 'Umar, Ibn 'Abbās and Ibn Abi Aufa ﷺ. This is the opinion of *Mālik Ash-Shāfi'i* and a group of *Sahābah* and *Tābi'īn*.

[4] Both him and his father Abū Sufyān Sakhr bin Harb became Muslims at the conquest of Makkah. 'Umar appointed him as the governor of Shām after the death of his brother Yazid bin Abū Sufyān and he remained so until 'Ali was appointed as Caliph. Later, he was appointed as the caliph when Al-Hasan stepped down in his favor in the year 40 H. He died in Rajab 60 H. at the age of 78 years.

[5] This means that sleep is a *way* which leads to *Hadath* (nullification of the state of purity), but it is not, in and of itself, the actual *Hadath* (nullification of one's state of purity).

who added, "Whoever sleeps must perform ablution.]"

This additional wording is also reported by Abū Dā'ud, in the *Hadīth* of 'Ali, without the words "the string is untied". Both chains of narration contain *(Da'f)* weakness.

وَهَذِهِ الزِّيَادَةُ فِي هَذَا الحَدِيثِ عِنْدَ أَبِي دَاودَ مِنْ حَدِيثِ عَلِيٍّ دُونَ قَوْلِهِ: «اسْتَطْلَقَ الوِكَاءُ» وَفِي كِلَا الإِسْنَادَيْنِ ضَعْفٌ.

And Ibn 'Abbās ﷺ narrated in a *Marfu'* (attributed to the Prophet) *Hadīth* that: "Ablution is necessary for one who sleeps while he is lying down (flat).[1] " [Reported by Abū Dā'ud, and there is *(Da'f)* weakness in its chain of narrators].

وَلأَبِي دَاوُدَ أَيْضاً عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا مَرْفُوعاً: «إِنَّما الوُضُوءُ عَلَى مَنْ نَامَ مُضْطَجِعاً». وفي إسناده ضعف أيضاً.

76. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "Satan comes to one of you in *Salāt* (prayer) and blows air in his bottom. Consequently, he imagines that he has passed wind, yet he did not (do so). So, if he gets that feeling he should not leave (his prayer) unless he hears the sound (of passing wind) or smells (its) odor." [Reported by Al-Bazzār].

(٧٦) وعَنِ ابْنِ عَبَّاسٍ رضي الله تعالى عنهما، أَنَّ رَسُولَ الله ﷺ قَالَ: «يَأْتِي أَحَدَكُمُ الشَّيْطَانُ فِي الصَّلَاةِ فَيَنْفُخُ فِي مَقْعَدَتِهِ، فَيُخَيَّلُ إِلَيْهِ أَنَّهُ أَحْدَثَ، وَلَمْ يُحْدِثْ، فَإِذَا وَجَدَ ذَلِكَ فَلَا يَنْصَرِفْ حَتَّى يَسْمَعَ صَوْتاً أَوْ يَجِدَ رِيحاً». أَخْرَجَهُ البَزَّارُ.

Its basic meaning is in the *Sahihain* (Bukhāri and Muslim) from the *Hadīth* of 'Abdullāh bin Zaid.

وَأَصْلُهُ فِي الصَّحِيحَيْنِ مِنْ حَدِيثِ عَبْدِ اللهِ ابْنِ زَيْدٍ رضي الله عنه.

Muslim has also reported from Abū Huraira a similar narration.

وَلِمُسْلِمٍ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ نَحْوُهُ.

And Abū Sa'īd narrated in a *Marfu'* (attributed to the Prophet) *Hadīth*: "If Satan comes to one of you and says: 'You have nullified your ablution (e.g. by passing wind)', let him say: 'You have lied.'" [Reported by Al-Hākim]. Ibn Hibbān also reported the above *Hadīth* with the wording: "Let him say within himself..."

وَلِلْحَاكِمِ عَنْ أَبِي سَعِيدٍ مَرْفُوعاً: «إِذَا جَاءَ أَحَدَكُمُ الشَّيْطَانُ، فَقَالَ: إِنَّكَ قَدْ أَحْدَثْتَ، فَلْيَقُلْ: إِنَّكَ كَذَبْتَ». أَخْرَجَهُ ابْنُ حِبَّانَ بِلَفْظِ: «فَلْيَقُلْ فِي نَفْسِهِ».

[1] It means that sleeping in the flat position *(mudtaji'an)* results in the invalidation of ablution, whereas in the foregoing *Hadīth* mere sleep is described as the factor of invalidation. In fact, sleeping in the flat position is an indication of sound sleep, where all the organs of body are at rest. This state enhances the possibility of uncontrolled passing of wind, while in a light sleep or napping one will not be completely unconscious.

Chapter 7 Manners Related to Answering the Call of Nature

٧ - بَابُ آدَابِ قَضَاءِ الحَاجَةِ

77. Narrated Anas bin Mālik ﷺ: Allāh's Messenger ﷺ used to remove his ring[1] when entering the *Khalaa'* (place of answering the call of nature). [Reported by *Al-Arba'a*[2], and it is *Ma'lūl* (defective)].

(٧٧) عَنْ أَنَسِ بْنِ مَالِكٍ رضي الله تعالى عنه قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا دَخَلَ الخَلَاءَ وَضَعَ خَاتَمَهُ. أَخْرَجَهُ الأَرْبَعَةُ، وَهُوَ مَعْلُولٌ.

78. Narrated (Anas) ﷺ: The Prophet ﷺ on entering the *Khalaa'* (lavatory) used to say:[3] [*Allāhumma inni a'udhu bika minal khubthi wal khabā'ith*] "O Allāh, I seek refuge with You from devils – males and females (or all offensive and wicked things, evil deeds and evil spirits, etc.)." [Reported by *As-Sab'a*].

(٧٨) وعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ إِذَا دَخَلَ الخَلَاءَ قَالَ: «اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنَ الخُبْثِ وَالخَبَائِثِ». أَخْرَجَهُ السَّبْعَةُ.

79. Narrated (Anas) ﷺ: Whenever Allāh's Messenger ﷺ went to the *Khalaa'* (to answer the call of nature), I and a small boy used to carry a leather (hide) container full of water and a spear-headed stick, and he (the Prophet) would clean his private parts with the water.[4] [Agreed upon].

(٧٩) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَدْخُلُ الخَلَاءَ، فَأَحْمِلُ أَنَا وَغُلَامٌ نَحْوِي إِدَاوَةً مِنْ مَاءٍ، وَعَنَزَةً فَيَسْتَنْجِي بِالمَاءِ. مُتَّفَقٌ عَلَيْهِ.

80. Narrated Al-Mughira bin Shu'ba ﷺ: Allāh's Messenger ﷺ told me, "Take the leather (hide) water container". He then went forward till he disappeared[5] from me and then relieved himself. [Agreed upon].

(٨٠) وعَنِ المُغِيرَةِ بْنِ شُعْبَةَ رضي الله تعالى عنه قَالَ: قَالَ لِي رَسُولُ اللهِ ﷺ: خُذِ الإِدَاوَةَ، فَانْطَلَقَ حَتَّى تَوَارَى عَنِّي، فَقَضَى حَاجَتَهُ. مُتَّفَقٌ عَلَيْهِ.

[1] On that ring [محمد رسول الله] 'Muhammad is the Messenger of Allāh' was carved in three lines. This indicates that the Names of Allāh and the Verses of the noble Qur'ān in the written form should not be carried to unclean places (such as the toilet), or while going out to answer the call of nature.

[2] Abū Dā'ud, Tirmidhi, Nasā'i and Ibn Mājah.

[3] Usually jinns live in such filthy places, and for this reason the noble Prophet ﷺ sought the refuge of Allāh. Before entering the lavatory one should recite this prayer in an audible voice. According to the narration of Anas رضي الله عنه if one is out in an open field, one should recite this prayer before sitting to answer the call of nature. While answering the call of nature one should be careful to avoid soiling one's body or clothing with impurities.

[4] Most of the scholars prefer to purify with both pebbles (solid substance) and water.

[5] This action of the noble Prophet ﷺ teaches us that while going out for the call of nature,

81. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Safeguard yourselves from the two matters that cause cursing (that befalls) the one who relieves himself on the people's pathways[1] and under their (places of) shade." [Reported by Muslim].

(٨١) وَعَنْ أَبِي هُرَيْرَةَ رضي الله تعالى عنه قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «اتَّقُوا اللَّاعِنَيْنِ: الَّذِي يَتَخَلَّى فِي طَرِيقِ النَّاسِ، أَوْ فِي ظِلِّهِمْ». رَوَاه مُسْلِمٌ.

Abū Dā'ud added, on the authority of Mu'ādh[2] (ﷺ): '...and the watering places.' His wording is: [He (the Prophet ﷺ) said:] "Guard against the three things which cause curse (i.e.) defecating at the watering places, on the main roads and in the (places of) shade."[3] Ahmad reported from Ibn Abbās ﷺ [that defecation is prohibited also] at the place where water collects. [And both (chains of narration) (i.e. for this *Hadīth* and the previous one) have *Da'f* (weakness)].

وَزَادَ أَبو دَاوُدَ عَنْ مُعاذٍ: «وَالمَوارِدِ». وَلَفْظُه: «اتَّقُوا المَلاعِنَ الثَّلَاثَةَ: البَرَازَ فِي المَوَارِدِ، وَقَارِعَةِ الطَّرِيْقِ، والظِّلِّ». ولأحمد عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهما: «أَوْ نَقْعِ مَآءٍ». وَفِيهِمَا ضَعْفٌ.

Ibn 'Umar's *Hadīth* (ﷺ) has: The prohibition of relieving oneself under fruit-bearing trees and on the bank of a flowing river. [Reported by At-Tabarāni with a *Da'if* (weak) chain of narrators].

وَأَخْرَجَ الطَّبَرَانِيُّ النَّهْيَ عَنْ قَضَاءِ الحَاجَةِ تَحْتَ الأَشْجَارِ المُثْمِرَةِ وَضَفَّةِ النَّهْرِ الجَارِي، مِنْ حَدِيثِ ابْنِ عُمَرَ بِسَنَدٍ ضَعِيفٍ.

82. Narrated Jābir ﷺ: Allāh's Messenger ﷺ said, "When two people go together to relieve themselves each one of them should conceal himself from the other and do not talk, for Allāh detests that." [Reported by Ahmad. Ibn As-Sakan and

(٨٢) وعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا تَغَوَّطَ الرَّجُلَانِ فَلْيَتَوَارَ كُلُّ وَاحِدٍ مِنْهُمَا عَنْ صَاحِبِهِ، وَلَا يَتَحَدَّثَا، فَإِنَّ اللَّهَ يَمْقُتُ عَلَى ذَلِكَ». رَوَاهُ

---

it is necessary to arrange some kind of privacy and to be out of the sight of others. In a *Da'if Hadīth* [*Da'if Abu Dawud*, pg. 8, no. 9 (35)], it is stated that in an open field, a mound or heap of sand should be made for the purpose of screening oneself.

[1] It is prohibited to answer the call of nature near pathways or near the ways in the vicinity of populated areas. Sites of abandoned road or deserted places can be used for this purpose.

[2] Mu'ādh is an *Ansāri* of Al-Khazraj tribe and was one of the virtuous, noble and most learned *Sahāba*. He attended Al-'Aqaba, Badr and other major battles. The Prophet ﷺ appointed him as his representative in Yemen. Then 'Umar appointed him as the governor of Shām after Abū 'Ubaida bin Al-Jarrāh. He died in the plague of 'Amwās in 17 H. or 18 H. at the age of 38.

[3] Altogether these are six places. It is forbidden in a *Hadīth Mursal* (missing link in the chain after the *Tābi'ī*) to urinate near the gates of the mosques.

Ibn Al-Qattān graded it *Sahih* (authentic) but it is defective[1]].

أَحْمَدُ وَصَحَّحَهُ ابْنُ السَّكَنِ وَابْنُ القَطَّانِ ، وَهُوَ مَعْلُولٌ.

83. Narrated Abū Qatāda ﷺ: Allāh's Messenger ﷺ said, "No one should touch his penis with his right hand[2] when urinating, nor clean himself (from defecation or urine) using his right hand, nor breathe in the utensil (he is drinking from)." [Agreed upon. The wording is Muslim's].

(٨٣) وعَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رسول الله ﷺ: «لَا يَمَسَّنَّ أَحَدُكُمْ ذَكَرَهُ بِيَمِينِهِ وَهُوَ يَبُولُ، وَلَا يَتَمَسَّحْ مِنَ الخَلَاءِ بِيَمِينِهِ، وَلَا يَتَنَفَّسْ فِي الإِنَاءِ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

84. Narrated Salmān[3] ﷺ: Allāh's Messenger ﷺ forbade us to face the *Qiblah* when defecating or urinating, or to clean ourselves (*Istinjaa'*) using the right hand, or to clean ourselves with less than three stones, or to clean ourselves with dung or a bone. [Reported by Muslim].

(٨٤) وعَنْ سَلْمَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَقَدْ نَهَانَا رَسُولُ اللهِ ﷺ أَن نَسْتَقْبِلَ القِبْلَةَ بِغَائِطٍ أَوْ بَوْلٍ، أَوْ أَنْ نَسْتَنْجِيَ بِاليَمِينِ، أَوْ أَن نَسْتَنْجِيَ بِأَقَلَّ مِنْ ثَلَاثَةِ أَحْجَارٍ، أَوْ أَنْ نَسْتَنْجِيَ بِرَجِيعٍ أَوْ عَظْمٍ. رَوَاهُ مُسْلِمٌ.

85. Narrated Abū Ayub[4] (ﷺ): (Allāh's Messenger ﷺ said,) "Neither face nor turn your back to the *Qiblah*[5] while defecating or urinating, but turn towards the east or the west." [Reported by the *As-Sab'a*].

(٨٥) وَلِلسَّبْعَةِ مِنْ حَدِيثِ أَبِي أَيُّوبَ: لَا تَسْتَقْبِلُوا القِبْلَةَ بِغَائِطٍ أَوْ بَوْلٍ، وَلَا تَسْتَدْبِرُوهَا، وَلَكِنْ شَرِّقُوا أو غَرِّبُوا.

[1] It is said: This is confirmed by other authentic *Ahadīth*, so it is correct. [However, Al-Albānī graded it *Da'if* (weak) in *Da'if Al-Jāmi'* no. 6336, *Da'if Ibn Majah* no. 76 (342), *Al-Mishkāt* 1/115, no. 356 and *Tamām Al-Mannah*, pg. 58]

[2] Handling the male sex organ with right hand during urination, or while cleaning oneself after urinating or defecating, and breathing in the utensils during drinking are all prohibited. Breathing in the utensil is harmful because this is the cause of transmission of germs from one to another, and the *Hadīth* which informs about three pauses while drinking is an indication that drink should be taken slowly and not in one gulp.

[3] He was known as "Salman the benevolent" and was nicknamed Abū 'Abdullāh. His origin is from Persia. He traveled in search of the true religion and became a Christian. Then he moved to Al-Madīnah, and believed in the Prophet ﷺ as soon as he arrived at Al-Madīnah. He was a leader in Islam and died in Al-Madīnah in 50 H. or 32 H. It is reported that he lived a very long life of either 250 or 350 years.

[4] His name is Khālid bin Zaid bin Kulaib. He hosted the Prophet ﷺ when he first arrived in Al-Madīnah. He was one of the senior and most great of the *Sahāba*. He attended Badr and was martyred while taking part in an expedition against the Byzantinians in 50 H. His grave, situated at the walls of Constantinople (presently Istanbul), is well-known.

[5] In this issue the 'Forbiddance' is in open places, while it is not forbidden inside the building where there are walls around. This may be understood from the *Hadīth* narrated by 'Abdullāh bin 'Umar ﷺ. He narrates: "In the house of my sister Hafsa, I went upstairs on the roof and saw the noble Prophet ﷺ answering the call of nature while he was facing towards

86. Narrated 'Aisha ؓ: The Prophet ﷺ said, "Whoever goes to relieve himself, he must conceal himself." [Reported by Abū Dā'ud].

(٨٦) وَعَنْ عَائِشَةَ رَضِيَ الله تعالى عنها، أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ أَتَى الغَائِطَ فَلْيَسْتَتِرْ». رَوَاهُ أَبُو دَاوُدَ.

87. Narrated ('Aisha) ؓ: Whenever the Prophet ﷺ came out from *Al-Ghaa'it* (place of answering the call of nature), he used to say, "*Ghufrānaka* (O Allāh! Grant me Your forgiveness)." [Reported by *Al-Khamsa*.[1] Abū Hātim and Al-Hākim graded it *Sahih* (authentic)].

(٨٧) وعَنْهَا رَضِيَ الله عَنْهَا أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا خَرَجَ مِنَ الغَائِطِ قَالَ: «غُفْرَانَكَ». أَخرَجَهُ الخمسة وصححه أَبُو حَاتِمٍ وَالحَاكِمُ.

88. Narrated Ibn Mas'ūd ؓ: The Prophet ﷺ went out to answer the call of nature and asked me to bring three stones. I found two stones but did not find a third one. So I took a dried piece of dung and brought it to him. He took the two stones and threw away the dung[2] and said, "This is a filthy thing". [Reported by Al-Bukhāri. Ahmad and Ad-Dāraqutni has the addition: "Bring me something other than dung"[3]].

(٨٨) وعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَتَى النَّبِيُّ ﷺ الغَائِطَ، فَأَمَرَنِي أَنْ آتِيَهُ بِثَلَاثَةِ أَحْجَارٍ، فَوَجَدْتُ حَجَرَيْنِ، وَلَمْ أَجِدْ ثَالِثاً، فَأَتَيْتُه بِرَوْثَةٍ، فَأَخَذَهُمَا وَأَلْقَى الرَّوْثَةَ، وَقَالَ: «إِنَّها رِكْسٌ». أَخْرَجَهُ البُخَارِيُّ. وَزَادَ أَحْمَدُ وَالدَّارَقُطْنِيُّ «ائْتِنِي بِغَيْرِها».

89. Narrated Abū Huraira ؓ: Allāh's Messenger ﷺ forbade us to use a bone or dung for *Istinjaa'* (cleaning the private parts) and said, "These two things do not purify." [Reported by Ad-Dāraqutni who graded it *Sahih* (authentic)].

(٨٩) وعَنْ أَبِي هُرَيرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: إِنَّ رَسُولَ اللهِ ﷺ نَهَى أَنْ نَسْتَنْجِيَ بِعَظْمٍ أَوْ رَوْثٍ، وَقَالَ: «إِنَّهُمَا لَا يُطَهِّرَانِ». رَوَاهُ الدَّارَقُطْنِيُّ وَصَحَّحَهُ.

90. Narrated Abū Huraira ؓ: Allāh's Messenger ﷺ said, "Beware of (smearing yourselves with) urine, because it is the main cause of punishment in the grave." [Reported by

(٩٠) وعَنْ أَبِي هُرَيرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسولُ الله ﷺ: «اسْتَنْزِهُوا مِنَ البَوْلِ، فَإِنَّ عَامَّةَ عَذَابِ القَبْرِ مِنْهُ». رَوَاهُ الدَّارَقُطْنِيُّ، وَلِلْحَاكِمِ: «أَكْثَرُ عَذَابِ القَبْرِ مِنَ

Shām." This *Hadīth* is in *Sahih* Muslim.

[1] The Collectors of *Hadīth*: Ahmad, Abū Dā'ud, An-Nasā'i, At-Tirmidhi and Ibn Mājah.

[2] It is known from this *Hadīth* that one should not clean the private parts with dung or excrement of animals. Likewise, it is forbidden to clean oneself with bones.

[3] The mentioned addition proves that for cleanliness three clods of mud are needed. Even though two may suffice, the condition of three is a must. More than three may be used if needed, but the number should be odd.

Ad-Dāraqutni]. Al-Hākim has: "Most of the punishment in the grave is from (negligence in allowing oneself to become soiled with) urine." [Its chain of narrators is *Sahih* (authentic)].

البَول » وَهُوَ صَحِيحُ الإسْنَادِ.

91. Narrated Surāqa bin Mālik[1] ﷺ: Allāh's Messenger ﷺ taught us concerning (manners of) *Al-Khalaa'* (place of answering the call of nature) that we should sit on our left foot[2] and keep erect our right foot. [Reported by Al-Baihaqi through a *Da'if* (weak) chain of narrators][3] .

(٩١) وعَنْ سُرَاقَةَ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: عَلَّمَنَا رَسُولُ اللهِ ﷺ فِي الخَلَاءِ أَنْ نَقْعُدَ عَلَى اليُسْرَى ونَنْصِبَ اليُمْنَى. رَوَاهُ البَيْهَقِيُّ بِسَنَدٍ ضَعِيفٍ.

92. Narrated 'Īsā bin Yazdād[4] from his father (ﷺ): Allāh's Messenger ﷺ said, "When one of you passes urine, he should forcefully push out (any urine remaining in) his penis – three times." [Reported by Ibn Mājah through a *Da'if* (weak) chain of narrators].

(٩٢) وَعَنْ عِيسَى بْنِ يَزْدَادَ (بُزْدَادَ) عَنْ أَبِيهِ قَالَ: قَالَ رسولُ الله ﷺ: «إِذَا بَالَ أَحَدُكُمْ فَلْيَنْتُرْ ذَكَرَهُ ثَلَاثَ مَرَّاتٍ». رَوَاهُ ابْنُ مَاجَهْ بِسَنَدٍ ضَعِيفٍ.

93. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ asked the residents of Qubā' [what had earned them the Praise of Allāh]? He ﷺ said: 'Indeed, Allah praises you.' They replied, "We use water after (cleaning the private parts with) stones." [Reported by Al-Bazzār with a *Da'if* (weak) chain of narrators. Its *Asl* (basic meaning) is in Abū Dā'ud and At-Tirmidhi. Ibn Khuzaima graded it *Sahih* (authentic) from the *Hadīth* of Abū Huraira ﷺ without mentioning "the stones."]

(٩٣) وعَنِ ابْنِ عَبَّاسٍ رضي الله تعالى عنهما، أَنَّ النَّبِيَّ ﷺ سَأَلَ أَهْلَ قُبَاءٍ فَقَالَ: إِنَّ اللَّهَ يُثْنِي عَلَيْكُمْ. فَقَالُوا: إِنَّا نُتبِعُ الحِجَارَةَ الماءَ. رَوَاهُ البَزَّارُ بِسَنَدٍ ضَعِيفٍ. وَأَصْلُه فِي أَبِي دَاوُدَ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، بِدُونِ ذِكْرِ الحِجَارَةِ.

[1] Surāqa bin Mālik bin Ju'shum Al-Mudlaji Al-Kināni, nicknamed Abū Sufyān was a prominent *Sahābi*. He was the one who pursued Allāh's Messenger ﷺ on his way to migration whereupon the forelegs of his horse sunk into the ground up to the knees. He died in 24 H.

[2] We are advised to follow every ommand of Islam, whether we comprehend it or not. The noble Prophet ﷺ instructed us t sit on the left foot (to put the weight of the body on the left foot) while sitting for answering the call of nature. This is because the stomach is on the left side, and thus the action of relieving oneself is made easy in this posture. Likewise, constipation – the mother of diseases – is also eradicated.

[3] This *Hadīth* is weak because some of the narrators in its chain are *Majhūl* (i.e. whose credibility has not been certified).

[4] 'Īsā and his father Yazdād are both *Majhūl* (not certified as being reliable reporters). Ibn Ma'in said, " 'Īsā and his father are *Majhūl*."

Chapter 8
GHUSL (BATH) AND THE RULING REGARDING THE SEXUALLY IMPURE

٨ - بَابُ الغُسْلِ وَحُكْمِ الجُنُبِ

94. Narrated Abū Sa'īd Al-Khudri ﷺ: Allāh's Messenger ﷺ said: "The water (of the *Ghusl*) is due to the water (of sexual emission)''.[1] [Reported by Muslim and its *Asl* (basic meaning) is in *Al-Bukhāri*].

(٩٤) عَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رسُولُ الله ﷺ: «المَاءُ مِنَ المَاءِ». رَوَاهُ مُسْلِمٌ، وَأَصْلُهُ فِي البُخَارِيِّ.

95. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said: "If one of you sits between the four parts (of a woman) and has sexual intercourse with her (penetration),[2] *Ghusl* (bath) is obligatory." [Agreed upon]. Muslim added: "Even if he does not ejaculate."

(٩٥) وعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسولُ الله ﷺ: «إِذَا جَلَسَ بَيْنَ شُعَبِهَا الأَرْبَعِ ثُمَّ جَهَدَهَا، فَقَدْ وَجَبَ الغُسْلُ». مُتَّفَقٌ عَلَيْه، وَزَادَ مُسْلِمٌ: «وَإِنْ لَمْ يُنْزِلْ».

95. Narrated Umm Salama ﷺ: Umm Sulaim,[3] the wife of Abū Talha said, "O Allāh's Messenger! Allāh is not ashamed of the truth. Is a *Ghusl* (bath) compulsory for a woman when she has a sexual dream?"[4] He (ﷺ) replied, "Yes! If she sees (signs of) the liquid (i.e. sexual discharge)." [Agreed upon.]

(٩٦) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ أُمَّ سُلَيْمٍ - وَهِيَ امْرَأَةُ أَبِي طَلْحَةَ - قَالَتْ: يا رسولَ اللهِ! إِنَّ اللَّهَ لَا يَسْتَحْيِي مِنَ الحَقِّ، فَهَلْ عَلَى المَرْأَةِ الْغُسْلُ إِذَا احْتَلَمَتْ؟ قَالَ: «نَعَمْ، إِذَا رَأَتِ المَاءَ»، الحديث مُتَّفَقٌ عَلَيْه.

[1] It means after seminal discharge, taking a bath is essential and obligatory. This *Hadīth* is related to sexual intercourse. Ubai bin K'ab said that in the early period of Islam, in case of sexual intercourse, taking a bath was not obligatory unless seminal discharge occurred. Afterwards this condition [i.e. the occurrence of seminal discharge] was abrogated, and some of the research scholars have reported the consensus of Muslims on this issue, that if the male sexual organ penetrates the female sex organ, the *Ghusl* (bath) becomes obligatory – whether seminal discharge occurs or not.

[2] It means that the penetration of the female sex organ by the male sex organ makes the taking of a *Ghusl* (bath) obligatory. This *Hadīth* cancels the ruling [i.e. the *condition* of seminal discharge] of the previous *Hadīth*.

[3] Her name is Ar-Rumaisā' or Al-Ghumaisā' bint Milhān, Anas bin Mālik's mother. She was among the virtuous *Sahabiyāt*. She was married to Mālik bin An-Nasr. Then she became a Muslim and invited him to Islam, but he became angry and went to Shām where he died. She was then proposed to by Abū Talha while he was still a *Mushrik*, but she made a condition that he should become a Muslim. He then embraced Islam and married her. She died during the caliphate of 'Uthmān.

[4] As men, women also have 'wet dreams'. Hence, taking a bath in this situation is obligatory for them too.

97. Narrated Anas ﷺ: Allāh's Messenger ﷺ – concerning the matter of a woman experiencing ejaculation during sleep like a man – said: "She should take a *Ghusl* (bath)". [Agreed upon]. Muslim added: Umm Salamah said, "Does this happen (to a woman)?" He (ﷺ) said, "Yes, otherwise where does the resemblance (of a child to its mother) come from?"[1]

(٩٧) وعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ، فِي المَرأَةِ تَرَى فِي مَنَامِها مَا يَرَى الرَّجُلُ، قال: تَغْتَسِلُ. مُتَّفَقٌ عَلَيْه، وَزادَ مُسْلِمٌ: «فَقَالَتْ أُمُّ سَلَمَةَ: وَهَل يَكُونُ هَذا؟ قَالَ: «نَعَمْ، فَمِنْ أَيْنَ يَكُونُ الشَّبَهُ؟».

98. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ used to take a bath from four things: Al-Janāba (after sexual intercourse), Al-Jumu'a (on Fridays), *Al-Hijāma* (after extracting blood from his body) and *Ghusl Al-Mayyit* (after washing a dead body).[2] [Reported by Abū Dā'ud. Ibn Khuzaima graded it *Sahih* (authentic).]

(٩٨) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ الله ﷺ يَغْتَسِلُ مِنْ أَرْبَعٍ: مِنَ الجَنَابَةِ، وَيومَ الجُمُعَةِ، وَمِنَ الحِجَامَةِ، وَمِنْ غُسْلِ المَيِّتِ. رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابنُ خُزَيْمَةَ.

99. Narrated Abū Huraira ﷺ regarding the story of Thumāma bin Uthāl[3] when he embraced Islam: The Prophet ﷺ ordered him to take a bath.[4] [Narrated by Abdur-Razzāq and its basic meaning is in *Al-Bukhāri* and *Muslim*].

(٩٩) وَعَنْ أَبِي هُرَيْرَةَ رضيَ اللَّهُ تَعَالَى عَنْهُ - فِي قِصَّةِ ثُمَامَةَ بْنِ أُثَالٍ عِنْدَمَا أَسْلَمَ - وَأَمَرَهُ النَّبِيُّ ﷺ أَنْ يَغْتَسِلَ. رَوَاهُ عَبدُ الرَّزَّاقِ، وَأَصْلُهُ مُتَّفَقٌ عَلَيْهِ.

100. Narrated Abū Sa'īd Al-Khudri ﷺ: Allāh's Messenger ﷺ said, "Taking a bath on Friday is a must for every

(١٠٠) وعَن أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ قَالَ:

[1] It means that women also have seminal discharge. Otherwise, how does a child take after the mother? Resemblance of children to their parents is on account of potency of semen.

[2] Among these four, taking bath after sexual intercourse is *Fard* (obligatory) by consensus; on Friday it is *Sunna* (the way of noble Prophet ﷺ) according to the majority, while some hold it to be obligatory based upon the more authentic *Ahādith*; after *Al-Hijāmah* (blood-letting) some hold that it is *Mustahab* (desirable) based on this *Hadīth*, however it is weak [*Da'if Abu Dawud*, no. 75/348, Al-Albāni]; after washing the dead, there are many opinions: obligatory, desirable, or that ablution is sufficient.

[3] Thumāmah bin Uthāl was from Banu Hanifa and the chief of Al-Yāmama people. He went to perform *'Umrah* while still a *Mushrik* and was captured by some horsemen of the Prophet ﷺ. They brought him to Al-Madīnah and tied him to one of the mosque's pillars. The Prophet ﷺ released him after three days. He then became a devoted Muslim and stood firm – during the *Ridda* (apostasy) days – against his people who were deceived by Musailimah *Al-Kadhdhāb* (the liar).

[4] When a non-Muslim embraces Islam, it is obligatory for him to take a bath. Abū Da'ūd [*Sahih Sunan Abu Da'ud*, 1/72, no. 342 (355)] reported that the noble Prophet ﷺ ordered Qais ibn 'Aasim to take a bath, when he embraced Islam.

adult". [Reported by *As-Sab'a*[1]].

«غُسْلُ يَوْمِ الْجُمُعَةِ وَاجِبٌ عَلَى كُلِّ مُحْتَلِمٍ». أَخْرَجَهُ السَّبْعَةُ.

101. Narrated Samura[2] ؓ: Allāh's Messenger ﷺ said, "Whoever performs ablution on the day of *Jumu'ah* has done a good thing and whoever takes a bath, taking a bath is better (for him)." [Reported by *Al-Khamsa*[3] and At-Tirmidhi graded it *Hasan* (good).]

(١٠١) وَعَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ تَوَضَّأَ يَوْمَ الْجُمُعَةِ فَبِهَا وَنِعْمَتْ، وَمَنِ اغْتَسَلَ فَالْغُسْلُ أَفْضَلُ». رَوَاهُ الْخَمْسَةُ، وَحَسَّنَهُ التِّرْمِذِيُّ.

102. Narrated 'Ali ؓ: The Prophet ﷺ used to teach us the Qur'ān except when he was in a state of sexual impurity.[4] [Reported by Ahmad and *Al-Arba'a*. This is the wording of At-Tirmidhi who graded it *Hasan* (good). And Ibn Hibbān graded it *Sahih* (authentic)].

(١٠٢) وعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ يُقْرِئُنَا الْقُرْآنَ مَا لَمْ يَكُنْ جُنُباً. رَوَاهُ أَحْمَدُ وَالْخَمْسَةُ، وَهَذَا لَفْظُ التِّرْمِذِيِّ، وَحَسَّنَهُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

103. Narrated Abū Sa'īd Al-Khudri ؓ: Allāh's Messenger ﷺ said, "If one of you has sexual intercourse with his wife and wishes to repeat, he must perform ablution[5] between them." [Reported by Muslim.] Al-Hākim added: "Ablution makes one more active for repeating (the sexual act)."

(١٠٣) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا أَتَى أَحَدُكُمْ أَهْلَهُ، ثُمَّ أَرَادَ أَنْ يَعُودَ، فَلْيَتَوَضَّأْ بَيْنَهُمَا وُضُوءًا». رَوَاهُ مُسْلِمٌ، زَادَ الْحَاكِمُ: «فَإِنَّهُ أَنْشَطُ لِلْعَوْدِ».

Narrated 'Aisha ؓ: Allāh's Messenger ﷺ used to sleep in the state of sexual

وَلِلأَرْبَعَةِ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا،

[1] Bukhāri, Muslim, Abū Dā'ud, Tirmidhi, Nisā'i, Ibn Mājah and Musnad Ahmad. This *Hadīth* is a proof for those scholars who say that the *Ghusl* of *Jumu'ah* is obligatory.

[2] Samura bin Jundub is a well-known *Sahābi* nicknamed Abū 'Abdullāh. He was a Fazāri and an ally of the *Ansār*. He was also one of the *Huffādh* (memorizers) who narrated many *Ahādith*. He settled at Basra and was very stern with Al-Haruriya (i.e. *Al-Khawārij*, a deviant sect of the Muslims). He died towards the end of the year 59 H.

[3] Abū Dā'ud, Tirmidhi, Nasā'i, Ibn Mājah and Musnad Ahmad.

[4] From this *Hadīth* and from others it is proven that reading the Qur'ān is not permissible for a person in a state of major impurity (e.g. after sexual relations) which requires *Ghusl* (bath). [However, this Hadīth is weak. See: *Da'if Ibn Majah* no. 129 (594), pg. 46; *Mishkat* 1/143, no. 460; *Irwaa' Al-Ghaleel* 1/206, no. 192]

[5] This ablution is desirable and not essential, it also brings about a pleasure and freshness in mood. It is reported that if the noble Prophet ﷺ went to his different wives in one night, he used to take a *Ghusl* (bath) after going to each of them. It is also reported that he performed ablution in between and sometimes he did not. So, in this matter one can choose any mode.

impurity without touching water.[1] [Reported by *Al-Arba'a*. This *Hadīth* is defective.]

قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَنَامُ وَهُوَ جُنُبٌ، مِنْ غَيْرِ أَنْ يَمَسَّ مَاءً. وَهُوَ مَعْلُولٌ.

104. Narrated 'Aisha ؓ: Whenever Allāh's Messenger ﷺ took a *Ghusl* (bath) after sexual intercourse, he would begin by washing his hands, then pour water with his right hand on his left hand and wash his sexual organ. He would then perform ablution, then take some water and run his (wet) fingers through the roots of his hair. Then he would pour three handfuls (of water) on his head, then pour water over the rest of his body and subsequently wash his feet. [Agreed upon and the wording is Muslim's].

(١٠٤) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ إِذَا اغْتَسَلَ مِنَ الجَنَابَةِ يَبْدَأُ فَيَغْسِلُ يَدَيْهِ، ثُمَّ يُفْرِغُ بِيَمِينِهِ عَلَى شِمَالِهِ فَيَغْسِلُ فَرْجَهُ، ثُمَّ يَتَوَضَّأُ ثُمَّ يَأْخُذُ المَاءَ فَيُدْخِلُ أَصَابِعَهُ فِي أُصُولِ الشَّعْرِ، ثُمَّ حَفَنَ عَلَى رَأْسِهِ ثَلَاثَ حَفَنَاتٍ، ثُمَّ أَفَاضَ عَلَى سَائِرِ جَسَدِهِ، ثُمَّ غَسَلَ رِجْلَيْهِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

Al-Bukhari and Muslim reported from Maimūna (ؓ): Allāh's Messenger ﷺ poured water over his private parts and washed them with his left hand. He then struck his hand against the earth.

وَلَهُمَا مِنْ حَدِيثِ مَيْمُونَةَ: «ثُمَّ أَفْرَغَ عَلَى فَرْجِهِ وَغَسَلَهُ بِشِمَالِهِ، ثُمَّ ضَرَبَ بِهَا الأَرْضَ».

In another narration: 'He rubbed it (his left hand) with the surface soil.' And in the end of this narration: 'Then I brought him a towel[2] but he returned it and began wiping off the water with his hand.' [Agreed upon].

وَفِي رِوَايَةٍ: «فَمَسَحَهَا بِالتُّرَابِ». وَفِي آخِرِهِ: «ثُمَّ أَتَيْتُهُ بِالمِنْدِيلِ فَرَدَّهُ»، وَفِيهِ: «وَجَعَلَ يَنْفُضُ المَاءَ بِيَدِهِ».

105. Narrated Umm Salama ؓ: I said, "O Messenger of Allāh, I am a woman with tightly plaited hair on my head; should I undo it for taking a bath from sexual intercourse?" Another narration has: "from menstruation?" He (ﷺ) said, "No, it is enough for you to throw three

(١٠٥) وعَنْ أُمِّ سَلَمَةَ رضي الله تعالى عنها قَالَتْ: قُلْتُ: يَا رَسُولَ اللهِ! إِنِّي امْرَأَةٌ أَشُدُّ شَعَرَ رَأْسِي، أَفَأَنْقُضُهُ لِغُسْلِ الجَنَابَةِ؟ وَفِي رِوَايَةٍ: وَلِلْحَيْضَةِ؟ فَقَالَ: لَا، إِنَّمَا يَكْفِيكِ أَنْ تَحْثِيَ عَلَى رَأْسِكِ ثَلَاثَ حَثَيَاتٍ. رَوَاهُ مُسْلِمٌ.

[1] This *Hadīth* suggests that before going to sleep, ablution is not essential for a *Junubi* (a person in the post-discharge state). However, a *Hadīth* reported by Al-Bukhari and Muslim states that "Umar asked the Prophet: Can one of us sleep while he is in a state of major sexual impurity? The Prophet said: 'Yes, if he performs ablution.'" In another narration, the Prophet said: "...make ablution and wash your private parts, then sleep." [Al-Bukhari no. 287, 288; Muslim no. 600, 602].

[2] The issue of drying the limbs after performing ablution is discretionary. Therefore, it depends on ones choice whether to dry or not. However, drying with a towel is disliked (according to some scholars), while shaking off the water with ones hand is not disputed.

handfuls of water[1] on your head". [Reported by Muslim.]

106. Narrated 'Aishah ﷺ: Allāh's Messenger ﷺ said, "I do not permit a menstruating woman[2] or anyone in a state of sexual impurity to (enter) the mosque".[3] [Reported by Abū Dā'ud. Ibn Khuzaimah graded it *Sahih* (authentic)].

(١٠٦) وَعَنْ عَآئِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِنِّي لَا أُحِلُّ المَسْجِدَ لِحَائِضٍ وَلَا جُنُبٍ». رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ خُزَيمَةَ.

107. Narrated ('Aisha) ﷺ: I and Allāh's Messenger ﷺ used to take a *Ghusl* (bath) due to sexual impurity from the same vessel and our hands alternated in (scooping water from) it. [Agreed upon.] Ibn Hibbān added "and (our hands) used to meet."

(١٠٧) وَعَنْهَا رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كُنْتُ أَغْتَسِلُ أَنَا وَرَسُولُ اللهِ ﷺ مِنْ إِنَاءٍ وَاحِدٍ، تَخْتَلِفُ أَيْدِينَا فِيهِ، مِنَ الجَنَابَةِ. مُتَّفَقٌ عَلَيْهِ، وَزَادَ ابْنُ حِبَّانَ: «وَتَلْتَقِي أَيْدِينَا».

108. Narrated Abū Hurairah ﷺ: Allāh's Messenger ﷺ said, "There is sexual impurity under every hair[4], so wash the hair and cleanse the skin." [Reported by Abū Dā'ud and At-Tirmidhi who both graded it *Da'if* (weak). Ahmad has something similar from the *Hadīth* of 'Aisha ﷺ and in the chain is one narrator who is *Majhūl* (someone whose credibility is not confirmed)].

(١٠٨) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ تَحْتَ كُلِّ شَعْرَةٍ جَنَابَةً، فَاغْسِلُوا الشَّعْرَ، وَأَنْقُوا الْبَشَرَ». رَوَاهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَضَعَّفَاهُ، وَلِأَحْمَدَ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا نَحْوُه، وَفِيهِ رَاوٍ مَجْهُولٌ.

[1] This *Hadīth* makes it clear that it is not essential for a woman to unravel her hair when performing a *Ghusl* (bath) after menses or sexual intercourse. There is another *Hadīth* from 'Aisha ﷺ in which untying of hair is reported. Some scholars understand this present *Hadīth* (of Umm Salama ﷺ) to mean that it is not *Wājib* (obligatory) to untie the hair, while the *Hadīth* of 'Aisha ﷺ indicates that untying of hair is only *Mustahab* (preferable).

[2] A menstruating woman is not allowed to enter (and sit in) a mosque, circumambulate the Sacred Ka'ba, nor is she allowed to pray or fast in this period. Prayers of this period are pardoned, whereas missed days of fasting must be fulfilled later on. Reading from – and touching – the noble Qur'ān is also prohibited (according to the majority of scholars). Remembrance of Allāh is allowed to her. She is also allowed to go to the place of *'Eid* prayers and participate in supplicating Allāh along with the other Muslims.

[3] It means that neither a menstruating woman nor anyone in a state of *Janābah* (state of major impurity after seminal emission) is allowed to stay in a mosque, though passing through is allowed. If somebody experiences seminal discharge as a result of a wet dream, while sleeping in a mosque, it is essential for him to go out and take a *Ghusl*. This is unanimously agreed upon.

[4] We come to know by this *Hadīth* that it is obligatory – by consensus – to wash the whole body after having sexual intercourse. The exception to this is rinsing of the mouth and putting water in the nose. There is difference of opinion about these two. Some hold washing the mouth and nose to be obligatory, while the others hold it to be *Sunnah*.

Chapter 9 *TAYAMMUM* (PURIFICATION WITH SOIL)

٩ - بَابُ التَّيَمُّمِ

109. Narrated Jābir bin 'Abdullāh ﷺ: The Prophet ﷺ said, "I have been given five things which were not given to anyone else before me. Allāh made me victorious by awe (of frightening my enemies) for a distance of one month's journey. The earth has been made for me (and my followers) a place for praying and (means of) purification (i.e. by performing *Tayammum*). Therefore, anyone (of my followers) must pray wherever the time of *Salāt* (prayer)[1] becomes due."[2]

(١٠٩) عَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُما، أَنَّ النَّبِيَّ ﷺ قَالَ: «أُعْطِيتُ خَمْسًا لَمْ يُعْطَهُنَّ أَحَدٌ قَبْلِي: نُصِرْتُ بِالرُّعْبِ مَسِيرَةَ شَهْرٍ، وَجُعِلَتْ لِيَ الأَرْضُ مَسْجِداً وَطَهُوراً، فَأَيُّما رَجُلٍ أَدْرَكَتْهُ الصَّلَاةُ فَلْيُصَلِّ». وذَكَرَ الحَدِيثَ.

In the *Hadīth* of Hudhaifa, Muslim has: "The soil[3] of the earth has been made for us as a means of purification if/when we do not find water."

وَفِي حَدِيثِ حُذَيْفَةَ عِنْدَ مُسْلِمٍ: «وَجُعِلَتْ تُرْبَتُهَا لَنَا طَهُوراً، إِذَا لَمْ نَجِدِ المَاءَ».

Ahmad has, on the authority of 'Ali ﷺ: "The soil has been made for me (and my followers) a means of purification."

وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ عَنْهُ عِنْدَ أَحْمَدَ: «وَجُعِلَ التُّرَابُ لِيَ طَهُوراً».

110. Narrated 'Ammār bin Yāsir[4] ﷺ: The Prophet ﷺ sent me on an errand, then I became *Junub* (from seminal emission in my sleep). I did not find water, so I rolled on the soil like an animal does (to perform *tayammum*).

(١١٠) وَعَنْ عَمَّارِ بْنِ يَاسِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: بَعَثَنِي النَّبِيُّ ﷺ فِي حَاجَةٍ، فَأَجْنَبْتُ، فَلَمْ أَجِدِ المَاءَ، فَتَمَرَّغْتُ فِي الصَّعِيدِ، كَمَا تَمَرَّغُ الدَّابَّةُ، ثُمَّ أَتَيْتُ النَّبِيَّ

[1] It means that if water is not readily available, one should not miss the first part of prayer time in search of water. However, Mālik, Ash-Shāfi'i and Ahmad (according to one narration from him) require that one search for water before performing *Tayammum*.

[2] The other three things are: a) Booty (spoils of war) has been made lawful; b) The Great Intercession on the Day of Judgement, when all of humanity will be awaiting the start of the Judgement; c) His Messengership is for all of the inhabitants of the earth.

[3] Soil and all other things from the same class (type) are regarded as equal and *Tayammum* is permissible with them, according to Abu Hanifah and Mālik [with the exception of such things like lime, antimony and arsenic, etc. which are not considered as one with soil]. Ash-Shāfi'i and Ahmad only allow the use of surface soil or the dust upon the surface of things.

[4] 'Ammār was nicknamed Abul-Yaqzān, and was among the most senior and early Muslims, and was tortured in Makkah for his Faith. He made the two migrations and took part in Badr and all the other important battles. The Prophet ﷺ told him, "O 'Ammār, the party of transgressors will kill you." He was indeed killed at Siffin in the year 36 H. – when he was with 'Ali – at the age of 73 years.

Then, I returned to the Prophet ﷺ and mentioned that to him. He (ﷺ) said, "It would have been sufficient for you to do with your hands this way". He then struck his hands once on the soil, and then rubbed the left hand on the right and the exterior part of his palms and his face. [Agreed upon. The wording is Muslim's].

ﷺ، فَذَكَرْتُ لَهُ ذَلِكَ، فَقَالَ: إِنَّمَا كَانَ يَكْفِيكَ أَنْ تَقُولَ بِيَدَيْكَ هَكَذَا، ثُمَّ ضَرَبَ بِيَدَيهِ الأَرْضَ ضَرْبَةً وَاحِدَةً، ثُمَّ مَسَحَ الشِّمَالَ عَلَى اليَمِينِ وظَاهِرَ كَفَّيْهِ وَوَجْهَهُ. متفق عليه وَاللَّفْظُ لِمُسْلِمٍ.

In a narration of Al-Bukhāri: 'He (Allāh's Messenger ﷺ) struck the earth with his palms (both hands)[1] and then blew off the dust and rubbed both of his palms over his face and hands.'

وَفِي رِوَايَةٍ لِلْبُخَارِيِّ «وَضَرَبَ بِكَفَّيْهِ الأَرْضَ، وَنَفَخَ فِيهِمَا، ثُمَّ مَسَحَ بِهِمَا وَجْهَهُ وَكَفَّيْهِ».

111. Narrated Ibn 'Umar ؓ: Allāh's Messenger ﷺ said, "*Tayammum* (purifying with the soil) consists of two strikings[2] of the soil, one for the face and one for the hands up to the elbows." [Reported by Ad-Dāraqutni, and the *Imāms* graded it *Sahih* as *Mawqūf* (saying of a Companion)].

(١١١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «التَّيَمُّمُ ضَرْبَتَانِ، ضَرْبَةٌ لِلْوَجْهِ، وَضَرْبَةٌ لِلْيَدَيْنِ». رَوَاهُ الدَّارَقُطْنِيُّ، وَصَحَّحَ الأَئِمَّةُ وَقْفَهُ.

112. Narrated Abū Huraira ؓ: Allāh's Messenger ﷺ said, "The soil is a means of ablution for the Muslim believer, even if he does not find water for ten years[3] ; but when he finds water he should guard against disobeying Allāh and let it touch his skin (i.e. use it for purification)." [Reported by Al-Bazzār, and Al-Qattān graded it *Sahih* (authentic). But Ad-Dāraqutni considered the correct opinion is that it

(١١٢) وَعَنْ أَبِي هُرَيرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الصَّعِيدُ وَضُوءُ المُسْلِمِ، وَإِنْ لَمْ يَجِدِ المَاءَ عَشْرَ سِنِينَ، فَإِذَا وَجَدَ المَاءَ فَلْيَتَّقِ اللَّهَ، وَلْيُمِسَّهُ بَشَرَتَهُ». رَوَاهُ البَزَّارُ، وَصَحَّحَهُ ابنُ القَطَّانِ، وَلَكِن صَوَّبَ الدَّارَقُطْنِيُّ إِرسَالَهُ، وَلِلتِّرمِذِيِّ عَنْ أَبِي ذَرٍّ نَحْوَه، وَصَحَّحَهُ وَالحاكِمُ أَيْضاً.

[1] This *Hadīth* explains *Tayammum* (purification with soil). Some scholars [e.g. Ahmad, Al-Awzā'i, Ishāq and *Ahl Al-Hadīth...*] are of the opinion that *one* stroke on earth is enough for the face and both hands. Others [e.g. Abu Hanifah, Mālik and Ash-Shāfi'i] say that *two* strokes are essential, one for the face and the other for the hands as is mentioned in the next *Hadīth*. However, the *Ahadīth* which mention 'two strokes' are all *Da'if* (weak) or *Mawqūf* (saying of a Companion).

[2] The scholars of *Ahadīth* have regarded this *Hadīth* as *Da'if* (weak), and all its chains of narrators are also weak. Hence, it cannot stand as a proof in opposition to the *Hadīth* of 'Ammar which proves the performance of *Tayammum* as *one* stroke upon the earth.

[3] It means that at the time of necessity soil is a complete substitute for water and fulfills all purposes of purification whether it concerns ablution or *Ghusl* (bath) – until water is available. With one *Tayammum* many obligatory acts can be performed, if there is no factor that nullifies it.

is *Mursal* (missing link in the chain after the *Tābi'i.* At-Tirmidhi reported a similar narration on the authority of Abū Dhar,[1] which he authenticated and so did Al-Hākim].

(١١٣) وَعَنْ أَبِي سَعِيدٍ الخُدرِيِّ رَضِيَ اللَّهُ تَعالَى عَنْهُ، قَالَ: خَرَجَ رَجُلَانِ فِي سَفَرٍ، فَحَضَرَتِ الصَّلَاةُ، وَلَيْسَ مَعَهُمَا مَاءٌ، فَتَيَمَّمَا صَعِيداً طَيِّباً، فَصَلَّيَا، ثُمَّ وَجَدَا المَاءَ فِي الوَقْتِ، فَأَعَادَ أَحَدُهُمَا الصَّلَاةَ وَالوُضُوءَ، وَلَمْ يُعِدِ الآخَرُ، ثُمَّ أَتَيَا رَسُولَ اللهِ ﷺ، فَذَكَرَا ذَلِكَ لَهُ، فَقَالَ لِلَّذِي لَمْ يُعِدْ: «أَصَبْتَ السُّنَّةَ، وَأَجْزَأَتْكَ صَلَاتُكَ»، وَقَالَ للآخَرِ: «لَكَ الأَجْرُ مَرَّتَيْنِ». رَوَاه أَبُو دَاوُدَ وَالنَّسائِيُّ.

113. Narrated Abū Sa'īd Al-Khudri ﷺ: Two men set out on a journey and when the time of *Salāt* (prayer) came they had no water. They performed *Tayammum* with clean earth and prayed. Later on they found water within the time of the prayer. One of them repeated the prayer and ablution but the other did not repeat. Then they came to Allāh's Messenger ﷺ and related the matter to him. Addressing himself to the one who did not repeat, he said, "You followed the *Sunnah* and your prayer was sufficient (accredited) for you."[2] He said to the other (who performed ablution and repeated): "For you there is a double reward".[3] [Reported by Abū Dā'ud and An-Nasā'i].

(١١٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، فِي قَوْلِهِ عَزَّ وَجَلَّ: ﴿وَإِن كُنتُم مَّرْضَىٰٓ أَوْ

114. Narrated Ibn 'Abbās ﷺ regarding the explanation of the Words of Allāh : "And if you are ill[4] or on a journey

[1] Abū Dhar's name was Jundub bin Junāda, and he was among the most prominent *Sahāba* and an ascetic (*Zāhid*). He became a Muslim very early at Makkah, then went back to his people. He came to the Prophet ﷺ at Al-Madīnah and later settled and died at Rabdha in 32 H.

[2] It means that if somebody has already prayed a certain prayer by performing *Tayammum*, then there is no need to repeat the prayer, even if water is found afterwards and there is still time for the prayer.

[3] It was not necessary to pray again if the prayer had been offered by performing *Tayammum*. The second person got double reward for praying twice, once with *Tayammum* and once with ablution. It might also be due the reward of the prayer and the reward of exercising judgement (*Ijtihād*) regarding the problem, since there is one reward for the *Mujtahid* (scholar) even when he reached the wrong opinion.

[4] It means that when someone intends to perform the prayer and there is some hindrance to performing ablution or taking a *Ghusl* (bath), then *Tayammum* is essential. Here illness means the sickness which would be aggravated by the use of water [according to Mālik, the Hanafi school and one of the two saying of Ash-Shāfi'i]. Others [Ahmad, and in one of the two sayings of Ash-Shāfi'i] hold that *Tayammum* is not allowed unless the sick person fears that the use of water would cause death. Daw'ud holds that *Tayammum* is allowed for every sick person – without the condition of fear of harm or death due to the use of water.

...": If a man sustains a wound in the cause of Allāh and an injury, then becomes *Junub* (sexually impure) and fears death if he takes *Ghusl* (bath), he should perform *Tayammum*. [Reported by Ad-Dāraqutni as *Mawqūf* (a saying of a Companion) and Al-Bazzār as *Marfū'* (attributed to the Prophet). Ibn Khuzaima and Al-Hākim graded it *Sahih* (authentic)].

عَلَى سَفَرٍ﴾ قَالَ: إِذَا كَانَتْ بِالرَّجُلِ الجِرَاحَةُ فِي سَبِيلِ اللهِ وَالقُرُوحُ، فَيُجْنِبُ، فَيَخَافُ أَن يَمُوتَ إِنِ اغْتَسَلَ، تَيَمَّمَ. رَوَاهُ الدَّارَقُطْنِيُّ مَوْقُوفاً وَرَفَعَهُ البَزَّارُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَالحَاكِمُ.

115. Narrated 'Ali ﷺ: One of the bones (ulna) in my forearm was broken, so I asked Allāh's Messenger ﷺ [concerning purification in this condition] and he ordered me to wipe over the bandages.[1] [Reported by Ibn Mājah with chain of narrators that is *Wāhin Jiddan* (very weak)].

(١١٥) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعالَى عَنْهُ قَالَ: انْكَسَرَتْ إِحْدَى زَنْدَيَّ، فَسَأَلْتُ رَسولَ اللهِ ﷺ فَأَمَرَنِي أَنْ أَمْسَحَ عَلَى الجَبَائِرِ. رَوَاهُ ابْنُ مَاجَه بِسَنَدٍ وَاهٍ جِدًّا.

116. Narrated Jābir ﷺ concerning the man who had sustained a wound in his head and took a bath and died: (Allāh's Messenger ﷺ said) "It would have been sufficient for him to perform *Tayammum*, then bind a bandage over the wound and wipe over it (with wet hands) and then wash the rest of his body." [Reported by Abū Dā'ud with a chain containing *Da'f* (weakness), and there is (also) disagreement concerning its narrator].

(١١٦) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعالَى عَنْهُ، فِي الرَّجُلِ الَّذِي شُجَّ فَاغْتَسَلَ فَمَاتَ: إِنَّمَا كَانَ يَكْفِيهِ أَن يَتَيَمَّمَ وَيَعْصِبَ عَلَى جُرْحِهِ خِرْقَةً، ثُمَّ يَمْسَحَ عَلَيْهَا، وَيَغْسِلَ سَائِرَ جَسَدِهِ. رَوَاهُ أَبُو دَاوُدَ بِسَنَدٍ فِيهِ ضَعْفٌ، وَفِيهِ اخْتِلَافٌ عَلَى رَاوِيهِ.

117. Narrated Ibn Abbās ﷺ: It is the *Sunnah* that a person should not pray more than one prayer[2] with a (one) *Tayammum*, then he should perform *Tayammum* for the next *Salāt* (prayer). [Reported by Ad-Dāraqutni with a chain

(١١٧) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: مِنَ السُّنَّةِ أَنْ لَا يُصَلِّيَ الرَّجُلُ بِالتَّيَمُّمِ إِلَّا صَلَاةً وَاحِدَةً، ثُمَّ يَتَيَمَّمُ لِلصَّلَاةِ الأُخْرَى. رَوَاهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ جِدًّا.

[1] The word in Arabic is *Jabā'ir* (جبائر) used for the cloth strips – or wooden sticks – which are placed around the broken arm or leg for covering and support and to keep it straight.

[2] Since *Tayammum* (purification with soil) is a substitute for ablution, it works the same. Just as many prayers can be offered with one ablution, in the same way many prayers can be offered with one *Tayammum*. Some people – after performing *Tayammum* for sexual intercourse or a wet dream – hesitate to enter the mosque or to recite the Qur'ān. This is only an evil apprehension and a satanic distraction and should not be cared for. The chain of narrators for this *Hadīth* is weak. Likewise, there are two other *Ahadīth* on the same issue and both of them are also *Da'if* (weak).

of narrators that is *Da'if Jiddan* (very weak)].[1]

Chapter 10 MENSTRUATION

١٠ - بَابُ الحَيْضِ

118. Narrated 'Aisha ﷺ: Fatima bint Abū Hubaish had a prolonged flow of blood[2] and Allāh's Messenger ﷺ told her, "The menstruation blood is a dark recognizable blood, so if that comes then avoid prayer. And if it is the other (light colored blood) then perform *Wudu'* (ablution) and offer *Salāt* (prayer) [for that is blood of a vein]." [Reported by Abū Dā'ud and An-Nasā'i. Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic). Abū Hātim considered it *Munkar* (rejected)].

(١١٨) عَنْ عَآئِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ فَاطِمَةَ بِنْتَ أَبِي حُبَيْشٍ كَانَتْ تُسْتَحَاضُ، فَقَالَ لَهَا رَسُولُ اللهِ ﷺ: «إِنَّ دَمَ الْحَيْضِ دَمٌ أَسْوَدُ يُعْرَفُ، فَإِذَا كَانَ ذَلِكِ فَأَمْسِكِي عَنِ الصَّلَاةِ، فَإِذَا كَانَ الآخَرُ فَتَوَضَّئِي وَصَلِّي». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَآئِيُّ، وَصَحَّحَهُ ابنُ حِبَّانَ وَالحَاكِمُ، وَاسْتَنْكَرَهُ أَبُو حَاتِمٍ.

And in the *Hadīth* of Asmā' bint 'Umais[3] (ﷺ) reported by Abū Dā'ud, (the Prophet ﷺ said:) "She should sit in a tub, and when she sees a yellowish color on the surface of the water, she should take a bath once for the *Zuhr* and *'Asr* prayers, and take another bath for the *Maghrib* and *'Ishā'* prayers, and take a bath once for the *Fajr* prayer, and in between these times she should perform ablution [before performing any act of worship which requires purification]."

وَفِي حَدِيثِ أَسْمَآءَ بِنْتِ عُمَيْسٍ عِنْدَ أَبِي دَاوُدَ: وَلْتَجْلِسْ فِي مِرْكَنٍ، فَإِذَا رَأَتْ صُفْرَةً فَوْقَ المَآءِ فَلْتَغْتَسِلْ لِلظُّهْرِ وَالعَصْرِ غُسْلاً وَاحِداً، وَتَغْتَسِلُ لِلْمَغْرِبِ وَالعِشَآءِ غُسْلاً وَاحِداً، وَتَغْتَسِلُ لِلْفَجْرِ غُسْلاً وَاحِداً، وَتَتَوَضَّأُ فِي مَا بَيْنَ ذَلِكَ.

[1] This *Hadīth* is weak because it was narrated by Al-Hasan bin 'Umārah who is weak, and for this reason the *Hadīth* scholars did not rely on it. They said: "Allāh has permitted for us the use of soil in the absence of water and since ablution only becomes obligatory after its nullification (i.e. due to urination, defecation or passing wind), so is the case with *Tayammum*."

[2] *Istihāda* (استحاضة) may be either prolonged post-natal bleeding or prolonged menstruation period (and is regarded as bleeding between the periods). The period of menstruation, according to some scholars is from one to fifteen days; and according to others, its duration is from three to ten days. Experience confirms the later assertion. Every woman knows her period, if bleeding exceeds the normal time, then it would be *Istihāda*.

[3] She was the wife of Ja'far bin Abū Tālib. She had migrated with him to Abyssinia (Ethiopia) and bore him there children, among them was 'Abdullāh. Then Abū Bakr As-Siddiq married her after the martyrdom of Ja'far at the battle of Mu'ta, and she bore him Muhammad. 'Ali bin Abū Tālib also married her after the death of Abū Bakr and she bore him Yahya. 'Umar used to ask her the interpretation of dreams. She died after the death of 'Ali.

119. Narrated Hamna bint Jahsh[1]: My prolonged bleeding flowed abundantly and severely. So I came to the Prophet to ask for his (religious) opinion. He said, "This is [the result of] a stroke/stab by the devil. Therefore, you must observe your menses for six or seven days, then take a bath and when you see that you are purified and quite clean, pray for twenty-three or twenty-four days, and fast and pray, for that will indeed suffice you. And do like this every month – just as the other women menstruate (and are purified). But if you are strong enough[2] to delay the *Zuhr* prayer and advance the *'Asr* prayer, then take a bath and combine the *Zuhr* and the *'Asr* prayer; then delay the *Maghrib* prayer and advance the *'Ishā'* prayer then take a bath and combine the two prayers, do so; and take a bath at *Fajr* (dawn) and perform the (dawn) prayer." Allāh's Messenger said of these two options: "This one appeals more to my liking (i.e. taking a bath at these three times daily)". [Reported by *Al-Khamsa* except An-Nasā'i. At-Tirmidhi graded it *Sahih* (authentic) and Al-Bukhāri graded it *Hasan* (good)].

(١١٩) وَعَنْ حَمْنَةَ بِنْتِ جَحْشٍ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كُنْتُ أُسْتَحَاضُ حَيْضَةً كَثِيرَةً شَدِيدَةً، فَأَتَيْتُ النَّبِيَّ ﷺ أَسْتَفْتِيهِ، فَقَالَ: «إِنَّمَا هِيَ رَكْضَةٌ مِنَ الشَّيْطَانِ، فَتَحَيَّضِي سِتَّةَ أَيَّامٍ أَوْ سَبْعَةَ أَيَّامٍ، ثُمَّ اغْتَسِلِي، فَإِذَا اسْتَنْقَأْتِ فَصَلِّي أَرْبَعَةً وَعِشْرِينَ أَوْ ثَلَاثَةً وَعِشْرِينَ، وَصُومِي وَصَلِّي، فَإِنَّ ذَلِكِ يُجْزِئُكِ، وَكَذَلِكِ فَافْعَلِي كُلَّ شَهْرٍ، كَمَا تَحِيضُ النِّسَاءُ، فَإِنْ قَوِيتِ عَلَى أَنْ تُؤَخِّرِي الظُّهْرَ وَتُعَجِّلِي الْعَصْرَ، ثُمَّ تَغْتَسِلِي حِينَ تَطْهُرِينَ، وَتُصَلِّي الظُّهْرَ وَالْعَصْرَ جَمِيعاً، ثُمَّ تُؤَخِّرِينَ الْمَغْرِبَ وَتُعَجِّلِينَ الْعِشَاءَ، ثُمَّ تَغْتَسِلِينَ وَتَجْمَعِينَ بَيْنَ الصَّلَاتَيْنِ فَافْعَلِي، وَتَغْتَسِلِينَ مَعَ الصُّبْحِ وَتُصَلِّينَ، قَالَ: وَهُوَ أَعْجَبُ الْأَمْرَيْنِ إِلَيَّ». رَوَاهُ الْخَمْسَةُ إِلَّا النَّسَائِيَّ، وَصَحَّحَهُ التِّرْمِذِيُّ، وَحَسَّنَهُ الْبُخَارِيُّ.

120. Narrated 'Aisha: Umm Habiba bint Jahsh[3] complained to Allāh's Messenger about the blood (which flows beyond the menstruation period).

(١٢٠) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ أُمَّ حَبِيبَةَ بِنْتَ جَحْشٍ شَكَتْ إِلَى رَسُولِ اللهِ ﷺ الدَّمَ، فَقَالَ: «امْكُثِي قَدْرَ مَا كَانَتْ

[1] Hamna bint Jahsh is the sister of the 'Mother of the Believers' Zainab bint Jahsh. She was married to Mus'ab bin 'Umair, who was martyred during the battle of Uhud after which she was married by Talha bin 'Ubaidullāh.

[2] In this *Hadīth*, Hamna was ordered to take a bath three times a day. One bath for *Zuhr* (ظهر) and *'Asr* (عصر) prayers and a second for *Maghrib* (مغرب) and *'Ishā'* (عشاء) and a third for *Fajr* (فجر). In the preceding *Hadīth* Fatima bint Abū Hubaish was ordered merely to perform ablution before every prayer. It means in case of *Istihāda* (استحاضة) taking a bath is not compulsory but performing ablution is obligatory for every prayer. Taking a bath is preferable if weather conditions and health allows. Otherwise, ablution suffices.

[3] Habiba bint Jahsh was another sister of Zainab bint Jahsh, 'the Mother of the Believers' and she was married to 'Abdur-Rahmān bin 'Auf. Muslim narrated that she had a prolonged flow of blood for seven years. She died in 44 H.

He said, "Keep away (from prayer) the length of time that your menses prevented you, then take a bath (and offer prayers)". And she used to take a bath for every prayer.[1] [Reported by Muslim.]

تَحْبِسُكِ حَيْضَتُكِ، ثُمَّ اغْتَسِلِي»، فَكَانَتْ تَغْتَسِلُ لِكُلِّ صَلَاةٍ. رواه مسلم.

The narration of Al-Bukhāri has: "Perform ablution for every *Salāt* (prayer)". It has (also) been reported by Abū Dā'ud and others through another chain of narrators.

وَفِي رِوَايَةِ الْبُخَارِيِّ «وَتَوَضَّئِي لِكُلِّ صَلَاةٍ». وَهِيَ لِأَبِي دَاوُدَ وَغَيْرِهِ مِنْ وَجْهٍ آخَرَ.

121. Narrated Umm 'Atiya[2] ﷺ: We did not consider brown (muddy colored) and yellow discharges after purification (from menstruation)[3] as anything (impure). [Reported by Al-Bukhāri and Abū Dā'ud and the wording is his (Abū Dā'ud's)].

(١٢١) وَعَنْ أُمِّ عَطِيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كُنَّا لَا نَعُدُّ الْكُدْرَةَ وَالصُّفْرَةَ بَعْدَ الطُّهْرِ شَيْئاً. رَوَاهُ الْبُخَارِيُّ وَأَبُو دَاوُدَ، وَاللَّفْظُ لَهُ.

122. Narrated Anas ﷺ: The Jews used not to eat with a woman during her menstruation period, so the Prophet ﷺ said, "Do every thing else apart from sexual intercourse (with your wives)". [Reported by Muslim.]

(١٢٢) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ الْيَهُودَ كَانُوا إِذَا حَاضَتِ الْمَرْأَةُ فِيهِمْ لَمْ يُؤَاكِلُوهَا، فَقَالَ النَّبِيُّ ﷺ: «اصْنَعُوا كُلَّ شَيْءٍ إِلَّا النِّكَاحَ». رَوَاهُ مُسْلِمٌ.

123. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ used to order me to put on an *Izār*[4] and then caress[5] me

(١٢٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَأْمُرُنِي فَأَتَّزِرُ،

---

[1] It was only a precautionary or voluntary act of Umm Habiba to take a bath for every prayer. The correct ruling regarding this issue is to take a post-menstruation *Ghusl* (bath) and purify oneself. Concerning prolonged bleeding, what is required is to wash away the blood and perform ablution for every prayer.

[2] Her name was Nusaiba bint Ka'b or bint Al-Hārith Al-Ansāriya. She was among the prominent *Sahābiya* women, and she used to accompany Allāh's Messenger ﷺ to battles, nursing the sick and treating the injured. She fought during the battle of Uhud like the heroes fought. She witnessed the washing of the body of the daughter of the Prophet ﷺ which she perfected and narrated, and a number of *Sahāba* and *Tabi'i 'Ulama* at Basra recorded that from her. Her *Hadīth* is considered to be the basic (reference) for washing the dead. She was counted to be among the *Sahābiya* who settled at Basra.

[3] In the narration of 'Aisha ﷺ, yellow and muddy colored discharge is considered as menses. However, this *Hadīth* states: "We considered it nothing." The two *Ahadīth* appear to be opposing each other, but actually both are correct in their context. If the yellow or muddy colored discharge oozes out in the menstruation period, it will be considered as 'menses'; and if it come out after the period, it is 'nothing' as the word *Ba'd At-Tuhr* (بعد الطهر) gives the clue.

[4] *Izar* is a piece of cloth worn from the waistline downwards like a skirt.

[5] Those who do not believe in the *Ahadīth* (i.e. the deniers of *Sunnah*), create ambiguity

while menstruating. [Agreed upon].

فَيُبَاشِرُنِي وَأَنَا حَائِضٌ. مُتَّفَقٌ عَلَيْهِ.

124. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said regarding a husband who has sexual intercourse with his wife during her menstruation period, "He should give out (as atonement) one Dinar or 1/2 Dinar in charity." [Reported by *Al-Khamsa*. Al-Hākim and Ibn Al-Qattān graded it *Sahih* (authentic). Others held that the stronger view is that it is *Mawquf* (saying of a Companion)].[1]

(١٢٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنْ رَسُولِ اللهِ ﷺ، فِي الَّذِي يَأْتِي امْرَأَتَهُ وَهِيَ حَائِضٌ، قَالَ: «يَتَصَدَّقُ بِدِينَارٍ أَوْ بِنِصْفِ دِينَارٍ». رَوَاهُ الخَمْسَةُ، وَصَحَّحَهُ الحَاكِمُ وَابْنُ القَطَّانِ، وَرَجَّحَ غَيْرُهُمَا وَقْفَهُ.

125. Narrated Abū Sa'īd Al-Khudri ﷺ: Allāh's Messenger ﷺ said, "Is it not the case that a woman in her menstruation period neither prays nor fasts?"[2] [Agreed upon. It is part of a long *Hadīth*.]

(١٢٥) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رسُولُ الله ﷺ: «أَلَيْسَ إِذَا حَاضَتِ المَرْأَةُ لَمْ تُصَلِّ وَلَمْ تَصُمْ؟». مُتَّفَقٌ عَلَيْهِ فِي حَدِيثٍ طَوِيلٍ.

126. Narrated 'Aisha ﷺ: When we came to a place called Sarif, I menstruated and the Prophet ﷺ said (to me), "Do what a pilgrim does [i.e. regarding the rites of *Hajj* and *'Umrah*] except that you don't circumambulate the Ka'ba

(١٢٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: لَمَّا جِئْنَا سَرِفَ حِضْتُ، فَقَالَ النَّبِيُّ ﷺ: «افْعَلِي مَا يَفْعَلُ الحَاجُّ، غَيْرَ أَنْ لَا تَطُوفِي بِالبَيْتِ حَتَّى تَطْهُرِي». مُتَّفَقٌ عَلَيْهِ فِي

---

and doubt at this point, and make the people suspicious about the *Ahadīth*. They assert that sexual intercourse during the menstruation period is prohibited by the noble Qur'ān. However, according to this *Hadīth* the Prophet would engage in sexual relations with his wife during that period. Hence, *Hadīth* is not true. The literal meaning of *Mubāsharah* (مباشرة) is to touch and rub the body with the body, and speaking metaphorically it means sexual intercourse. In other *Ahadīth* it has been clarified that sexual intercourse is strictly forbidden during menstruation. Thus, it is quite a dishonesty to translate the word *Mubāsharah* (مباشرة) as sexual intercourse instead of 'fondling' and thereby create suspicion.

[1] Some of the scholars [e.g. Ash-Shāfi'i and Ibn Abdul-Barr] consider this *Hadīth* to be *Da'if* (weak), and therefore, most of the scholars do not deem it necessary to expiate. Other scholars [e.g. Ibn Qattan and Ibn Daqiq Al-Eid] consider the *Hadīth* to be *Sahih* (authentic) and require that it be implemented. However, they hold that the command here [to give charity] is meant to indicate that it is commendable (*Mustahab*), not obligatory (*Wājib*). In any case, the person who engages in sexual relations with his wife during menses must at least seek Allah's forgiveness and repent from such behavior.

[2] This is a small portion of a long *Hadīth*. The noble Prophet ﷺ while delivering a *Khutba* (religious talk) to the women, told them that their *Deen* (i.e. acts of worship) was *Nāqis* (incomplete). They asked, "How?" In the answer to their question, he spoke these words which indicate the prohibition of the menstruating women of performing prayers and fasting. However, this is in no way meant to be a criticism of women, since their abandonment of these acts of worship – during menses – is in obedience to Allah, not disobedience.

until you are purified". [Agreed upon and it is part of a long *Hadīth*.]

حَدِيثٍ طَوِيلٍ.

127. Narrated Mu'ādh ؓ: He asked the Prophet ﷺ, "What is lawful for a man regarding his wife when she is menstruating?" He ﷺ replied, "Whatever is above the *Izār* (waist wrapper) (is lawful)."[1] [Reported by Abū Dā'ud and he graded it *Da'if* (weak).]

(١٢٧) وَعَنْ مُعاذٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ سَأَلَ النَّبِيَّ ﷺ، مَا يَحِلُّ لِلرَّجُلِ مِنَ امْرَأَتِهِ وَهِيَ حَائِضٌ؟ فَقَالَ: «مَا فَوْقَ الإِزَارِ». رَوَاهُ أَبُو دَاوُدَ، وضَعَّفَهُ.

128. Narrated Umm Salama ؓ: During the time of the Prophet ﷺ the women having bleeding after delivery (post-natal or puerperal blood) would refrain (from prayer) for forty days.[2] [Reported by *Al-Khamsa* except An-Nasā'i. The wording is that of Abū Dā'ud].

(١٢٨) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَتِ النُّفَسَاءُ تَقْعُدُ على عَهْدِ النَّبِيِّ ﷺ بَعْدَ نِفَاسِهَا أَرْبَعِينَ يَوْماً. رَوَاهُ الخَمْسَةُ إِلَّا النَّسَائِيَّ، وَاللَّفْظُ لِأَبِي دَاوُدَ.

And in another narration of Abū Dā'ud it has: "The Prophet ﷺ did not command her to make up for the prayers (abandoned) during the period of bleeding." Al-Hākim graded it *Sahih* (authentic).

وَفِي لَفْظٍ لَهُ: وَلَمْ يَأْمُرْهَا النَّبِيُّ ﷺ بِقَضَاءِ صَلَاةِ النِّفَاسِ. وَصَحَّحَهُ الحَاكِمُ.

---

[1] "Everything above the *Izār* (dress worn below the waist)" [لما فوق الإزار] may have two meanings: First, the *Izār* may be a figurative speech for 'sexual intercourse'. In other words, everything is permitted except sexual intercourse. Secondly, it may metaphorically mean the portion of body related to *Izār*. But this meaning will contradict the stronger and more authentic *Hadīth* stating: "Do everything except intercourse." [اصنعوا كل شيء إلا النكاح]. Therefore, applying the first meaning is preferable, in order to eliminate any contradiction between the two *Hadīth*.

[2] It means the maximum period of post-natal blood is forty days, while the minimum time for it is not fixed. If it continues more than forty days, it will be regarded as *Istihāda* (bleeding between periods) which is not a hindrance for prayer, fasting and having sexual intercourse. The commands and prohibitions related to post-natal bleeding are the same as those related to menstruation.

2. THE BOOK OF PRAYER

٢ - كِتَابُ الصَّلَاةِ

Chapter 1 THE TIMES OF *SALAT* (PRAYERS)

١ - بَابُ الْمَوَاقِيتِ

129. Narrated 'Abdullāh bin 'Amr ﷠: The Prophet ﷺ said, "The time of the *Zuhr* (noon) prayer[1] is when the sun passes the meridian and a man's shadow is of the same length as his height. It lasts until the time of the *'Asr* (afternoon) prayer. The time of the *'Asr* prayer is as long as the sun has not become yellow (during its setting). The time of the *Maghrib* (sunset) prayer[2] is as long as the twilight[3] has not disappeared. The time of the *'Ishā'* (night) prayer is up to midnight. And the time of the *Fajr* (morning) prayer is from the appearance of dawn as long as the sun has not risen; (but when the sun rises abstain from prayer; for it rises between the two horns of Satan)." [Reported by Muslim].

(١٢٩) عَنْ عَبْدِ اللهِ بْنِ عَمْرٍو رَضِيَ اللهُ تَعَالَى عَنْهُمَا أَنَّ النَّبِيَّ ﷺ قَالَ: «وَقْتُ الظُّهْرِ إِذَا زَالَتِ الشَّمْسُ، وَكَانَ ظِلُّ الرَّجُلِ كَطُولِهِ، مَا لَمْ يَحْضُرِ العَصْرُ، وَوَقْتُ العَصْرِ مَا لَمْ تَصْفَرَّ الشَّمْسُ، وَوَقْتُ صَلَاةِ المَغْرِبِ مَا لَمْ يَغِبِ الشَّفَقُ، وَوَقْتُ صَلَاةِ العِشَاءِ إِلَى نِصْفِ اللَّيْلِ الأَوْسَطِ، وَوَقْتُ صَلَاةِ الصُّبْحِ مِنْ طُلُوعِ الفَجْرِ مَا لَمْ تَطْلُعِ الشَّمْسُ». رَوَاهُ مُسْلِمٌ.

Narrated Buraida[4] (﷠) in another version of the above *Hadīth* regarding

وَلَهُ مِنْ حَدِيثِ بُرَيْدَةَ فِي العَصْرِ: «وَالشَّمْسُ

[1] It means that the time for *Zuhr* (ظهر) prayer is up to the same size shadow [from the start of the sun's decline up to the time when a man's height and the size of his shadow are equal in length]; and after that, the time of *'Asr* (عصر) prayer starts. Some of the religious scholars consider the time of *Zuhr* prayer up to double-size shadow, but this is not proven by any authentic *Hadīth*.

[2] This *Hadīth* tells that *Maghrib* (مغرب) prayer also has two timings, early and late. In the *Hadīth of Jibrīl* only one time is mentioned for *Maghrib* prayer on both days, but this was an affair of the early period of Islam. Later on, in Al-Madīnah, the time for the *Maghrib* prayer was extended.

[3] *Shafaq* (شفق) – twilight is a redness on the western horizon at evening after sunset, as its description is given in the narration of Ad-Dāraqutni.

[4] He is Abū 'Abdullāh Buraida bin Al-Husaib Al-Aslami. He embraced Islam together with eighty of his colleagues when the Prophet ﷺ passed him on his way to the migration to Al-Madīnah. He then came to the Prophet ﷺ after the battle of Uhud and then took part in the other battles. He also attended *Al-Hudaibiya* and *Bai'at-ur-Ridwān*. He settled at Basra then went with an expedition to Khurāsān settling at Marw where he died and was buried in 62 H. or 63 H.

'Asr (afternoon prayer): "When the sun is white[1] and clear." [Reported by Muslim]. And Abū Musa[2] (ﷺ) narrated regarding the time of *'Asr* prayer: "While the sun is high.[3]" [Reported by Muslim in another narration of the former *Hadīth*].

بَيْضَاءُ نَقِيَّةٌ» وَمِنْ حَدِيثِ أَبِي مُوسَى: «وَالشَّمْسُ مُرْتَفِعَةٌ».

130. Narrated Abū Barza Al-Aslami[4] ﷺ: Allāh's Messenger ﷺ used to offer the *'Asr* prayer (and after the prayer) one of us would return to his house at the furthest end of Al-Madīnah and arrive while the sun was still hot and bright. And he (ﷺ) loved to delay the *'Ishā'* prayer, and he disliked sleeping before it and conversation after it.[5] After the *Fajr* prayer he used to leave when a man could recognize the one sitting beside him and he used to recite between 60 to 100 Verses of the Qur'ān in the *Fajr* prayer. [Agreed upon].

(١٣٠) وَعَنْ أَبِي بَرْزَةَ الأَسْلَمِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُصَلِّي العَصْرَ، ثُمَّ يَرْجِعُ أَحَدُنَا إِلَى رَحْلِهِ فِي أَقْصَى المَدِينَةِ وَالشَّمْسُ حَيَّةٌ، وَكَانَ يَسْتَحِبُّ أَنْ يُؤَخِّرَ مِنَ العِشَاءِ، وَكَانَ يَكْرَهُ النَّوْمَ قَبْلَهَا وَالحَدِيثَ بَعْدَهَا، وَكَانَ يَنْفَتِلُ مِنْ صَلَاةِ الغَدَاةِ حِينَ يَعْرِفُ الرَّجُلُ جَلِيسَهُ، وَكَانَ يَقْرَأُ بِالسِّتِّينَ إِلَى المِائَةِ. مُتَّفَقٌ عَلَيْهِ.

Narrated Jābir, in the version of Al-Bukhāri and Muslim: (The Prophet ﷺ) used to advance the *'Ishā'* prayer sometimes and delay it at other times. Whenever he saw the people assembled (for the *'Ishā'* prayer) he would pray

وَعِنْدَهُمَا مِنْ حَدِيثِ جَابِرٍ: «وَالعِشَاءَ أَحْيَاناً يُقَدِّمُهَا، وَأَحْيَاناً يُؤَخِّرُهَا، إِذَا رَآهُمُ اجْتَمَعُوا عَجَّلَ، وَإِذَا رَآهُمْ أَبْطَؤُوا أَخَّرَ، وَالصُّبْحَ كَانَ النَّبِيُّ ﷺ يُصَلِّيهَا بِغَلَسٍ.

[1] It means that *'Asr* (عصر) prayer should be offered in its early time. After the same size shadow, there is time for four *Rak'at* only which is common between *Zuhr* and *'Asr* prayers. After that, time for *'Asr* begins.

[2] 'Abdullāh bin Qais Al-Ash'ari was one of the most eminent *Sahāba*. He migrated to Abyssinia (Ethiopia) and then came to the Prophet ﷺ at Khaibar. He was assigned to administer Zabid and 'Aden and then became 'Umar's governor for Kufa and Basra. He was instrumental in the conquest of Tastar and several other towns. He probably died in 42 H. or in another year.

[3] All the mentioned narrations confirm that every *Salāt* (prayer) has its 'early time' and 'late time' [time of prayer to be offered], but every *Salāt* (prayer) should be offered in its early time.

[4] He is Nadla bin 'Ubaid. He became a Muslim very early and witnessed the conquest of Makkah and the other important battles. He settled at Basra, then Khurāsān and died at Marw or Basra in 60 H. or 64 H.

[5] After *'Isha'* prayer it has been prohibited to talk. The motive behind this prevention is that the sins of a believer are pardoned after his offering the prayer, and it is better to go to bed than to talk and indulge oneself in worldly affairs. After offering *'Isha'* prayer, going to bed earns double benefit: first, to save oneself from sins and, secondly, that the prayer will be regarded his last action before sleep.

early and if the people delayed, he would delay the prayer. And the Prophet ﷺ used to offer the *Fajr* prayer when it was still dark.[1]

وَلِمُسْلِمٍ مِنْ حَدِيثِ أَبِي مُوسَى: «فَأَقَامَ الفَجْرَ حِينَ انْشَقَّ الفَجْرُ، وَالنَّاسُ لَا يَكَادُ يَعْرِفُ بَعْضُهُمْ بَعْضاً».

Narrated Abū Mūsa (ﷺ) in another version of Muslim: He (ﷺ) offered the *Fajr* prayer at daybreak when the people could hardly recognize one another.

(١٣١) وَعَنْ رَافِعِ بْنِ خَدِيجٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا نُصَلِّي المَغْرِبَ مَعَ رَسُولِ اللهِ ﷺ، فَيَنْصَرِفُ أَحَدُنَا وَإِنَّهُ لَيُبْصِرُ مَوَاقِعَ نَبْلِهِ. مُتَّفَقٌ عَلَيْهِ.

131. Narrated Rāfi' bin Khadij[2] ﷺ: We used to offer the *Maghrib* prayer with Allāh's Messenger ﷺ and then one of us would go (out of the mosque) and be able to see the spot his arrow would fall at. [Agreed upon].

(١٣٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: أَعْتَمَ النَّبِيُّ ﷺ ذَاتَ لَيْلَةٍ بِالعِشَاءِ، حَتَّى ذَهَبَتْ عَامَّةُ اللَّيْلِ، ثُمَّ خَرَجَ فَصَلَّى، وَقَالَ: «إِنَّهُ لَوَقْتُهَا، لَوْلَا أَنْ أَشُقَّ عَلَى أُمَّتِي»، رَوَاهُ مُسْلِمٌ.

132. Narrated 'Aisha ﷺ: The Prophet ﷺ delayed (the *'Isbā'* prayer) one night till a great part of the night passed, then he went out and offered the prayer, and said, "This is the proper time for it;[3] were it not that I would impose a burden on my followers." [Reported by Muslim].

(١٣٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا اشْتَدَّ الحَرُّ فَأَبْرِدُوا بِالصَّلَاةِ، فَإِنَّ شِدَّةَ الحَرِّ مِنْ فَيْحِ جَهَنَّمَ». مُتَّفَقٌ عَلَيْهِ.

133. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "When it is hot, delay the (*Zuhr*) prayer till it cools down,[4] for the intensity of heat is from the exhalation of Hell." [Agreed upon].

(١٣٤) وَعَنْ رَافِعِ بْنِ خَدِيجٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَصْبِحُوا

134. Narrated Rafi' bin Khadij ﷺ: Allāh's Messenger ﷺ said, "Offer the

[1] Regarding the time of *Fajr* (morning) prayer, there are various opinions and conjectures of the Companions of the Prophet ﷺ. In this *Hadīth*, the Arabic word *Ghalas* (غلس) means when dawn appears in the darkness of night.

[2] He is an *Ansāri* nicknamed Abū 'Abdullāh. He missed Badr due to young age, but took part in Uhud and the battles that followed. He died in the year 73 H. or 74 H. at the age of 86 years.

[3] It is preferable to offer the *'Isha'* prayer as late as possible. This order is exclusively for *'Isha'* prayer only and not for any other prayer. The Prophet ﷺ used to wait for and delay this prayer.

[4] In summer, whether the *Zuhr* prayer be offered in its early time or late, there is a difference of opinion regarding this issue. But it is appropriate to make a little delay, until one could walk in the shade of walls. According to Abū Dā'ud and Nasā'i, the noble Prophet ﷺ used to delay the *Zuhr* prayer till the shadow becomes three to five footsteps long.

morning prayer at dawn,[1] for it is greater for your rewards." [Reported by *Al-Khamsa*. At-Tirmidhi and Ibn Hibbān graded it *Sahih* (authentic)].

بِالصُّبْحِ، فَإِنَّهُ أَعْظَمُ لأُجُورِكُمْ». رَوَاهُ الخَمْسَةُ وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

135. Narrated Abū Huraira ﷺ: The Prophet ﷺ said, "He who prays a *Rak'a* of the *Fajr* prayer before the sun rises, has offered the dawn prayer in its time, and he who prays a *Rak'a* of the *'Asr* prayer before the sun sets has offered the afternoon prayer." [Agreed upon].

(١٣٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ أَدْرَكَ مِنَ الصُّبْحِ رَكْعَةً قَبْلَ أَنْ تَطْلُعَ الشَّمْسُ فَقَدْ أَدْرَكَ الصُّبْحَ، وَمَنْ أَدْرَكَ رَكْعَةً مِنَ العَصْرِ قَبْلَ أَنْ تَغْرُبَ الشَّمْسُ فَقَدْ أَدْرَكَ العَصْرَ». مُتَّفَقٌ عَلَيْهِ.

Muslim reported the same above *Hadīth* in another version narrated by 'Aisha ﷺ who narrated *'Sajda* (prostration)' instead of *'Rak'a* (prayer unit)' and then he (Muslim) said, "A *Sajda* implies a *Rak'a*."

وَلِمُسْلِمٍ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا نَحْوُه، وَقَالَ: «سَجْدَةً» بَدَلَ «رَكْعَةً» ثُمَّ قَالَ: وَالسَّجْدَةُ إِنَّمَا هِيَ الرَّكْعَةُ.

136. Narrated Abū Sa'īd Al-Khudri ﷺ: I heard Allāh's Messenger ﷺ saying: "No *Salāt* (prayer) is to be offered after the morning prayer until the sun rises[2], or after the afternoon prayer until the sun sets." [Agreed upon]. And in the narration of Muslim: "There is no *Salāt* (prayer) after the *Fajr* (morning) prayer."

(١٣٦) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسولَ اللهِ ﷺ يَقُولُ: «لَا صَلَاةَ بَعْدَ الصُّبْحِ حَتَّى تَطْلُعَ الشَّمْسُ، وَلَا صَلَاةَ بَعْدَ العَصْرِ حَتَّى تَغِيبَ الشَّمْسُ». مُتَّفَقٌ عَلَيْهِ، وَلَفْظُ مُسْلِمٍ: «لَا صَلَاةَ بَعْدَ صَلَاةِ الفَجْرِ».

'Uqba bin 'Aamir[3] ﷺ narrated: "There are three times at which Allāh's Messenger ﷺ used to forbid us to pray

وَلَهُ عَنْ عُقْبَةَ بْنِ عَامِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: ثَلَاثُ سَاعَاتٍ كَانَ رَسُولُ اللهِ ﷺ يَنْهَانَا أَنْ

[1] It only means that morning light should appear clearly and there should be no doubt in it, therefore, this *Hadīth* is not contrary to the *Hadīth* of "darkness" (*Ghalas* (غلس). Another aspect is that the prayer should be started in the darkness and the recitation should be prolonged until the light of morning appears clearly.

[2] It means that from dawn to sunrise and from *'Asr* to sunset, voluntary prayers (*Nawafil* نوافل) are impermissible. Two *Rak'at* before obligatory morning prayer (*Fajr* فجر) are excluded from this command, as it is proven from the noble Prophet ﷺ. Though these two *Rak'at* are offered before obligatory prayer but if these are missed, they can be offered after the obligatory prayer as it is reported in *Tirmidhi*.

[3] 'Uqba bin 'Aamir was a Juhani nicknamed Abū Hammād or Abū 'Aamir. He became a Muslim, migrated and accompanied the Prophet ﷺ very early. He read the Qur'ān a lot, was knowledgeable in inheritance and jurisprudence and was learned and a poet. He was allocated a land in Basra, and took part in Siffin with Mu'āwiya. He later governed Egypt for Mu'āwiya for three years and became incharge of the sea expeditions. He died in 58 H. in Egypt and was buried at Al-Muqtam.

or bury[1] our dead: (a) when the sun begins to rise till it is fully up, (b) when the sun is at its height at midday till it passes the meridian, and (c) when the sun draws near to setting till it sets." [Reported by Muslim].

نُصَلِّيَ فِيهِنَّ وَأَنْ نَقْبُرَ فِيهِنَّ مَوْتَانَا: حِينَ تَطْلُعُ الشَّمْسُ بَازِغَةً حَتَّى تَرْتَفِعَ، وَحِينَ يَقُومُ قَائِمُ الظَّهِيرَةِ حَتَّى تَزُولَ الشَّمْسُ، وَحِينَ تَتَضَيَّفُ الشَّمْسُ لِلْغُرُوبِ.

Ash-Shāfi'i viewed the second ruling[2] from a *Hadīth* narrated by Abū Huraira (رضي الله عنه) through a weak *Sanad* with the addition: "Except on Friday". Abū Dā'ud reported something similar from Abū Qatāda (رضي الله عنه).

وَالْحُكْمُ الثَّانِي عِنْدَ الشَّافِعِيِّ رَحِمَهُ اللَّهُ تَعَالَى مِنْ حَدِيثِ أَبِي هُرَيْرَةَ بِسَنَدٍ ضَعِيفٍ وَزَادَ: «إِلَّا يَوْمَ الْجُمُعَةِ» وَكَذَا لِأَبِي دَاوُدَ عَنْ أَبِي قَتَادَةَ نَحْوُهُ.

137. Narrated Jubair bin Mut'im[3] (رضي الله عنه): Allāh's Messenger ﷺ said, "O descendants of Abd Manāf! You must not prevent anyone who goes round this House (Ka'ba) and prays [here] at any hour of the night or day that he wishes." [Reported by *Al-Khamsa*, At-Tirmidhi and Ibn Hibbān graded it *Sahih* (authentic)].

(١٣٧) وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «يَا بَنِي عَبْدِ مَنَافٍ لَا تَمْنَعُوا أَحَداً طَافَ بِهَذَا الْبَيْتِ، وَصَلَّى أَيَّةَ سَاعَةٍ شَاءَ مِنْ لَيْلٍ أَوْ نَهَارٍ». رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

138. Narrated Ibn 'Umar (رضي الله عنه): The Prophet ﷺ said, "The twilight is the redness." [Reported by Ad-Dāraqutni. Ibn Khuzaimah graded it *Sahih* (authentic) and others graded it *Mawqūf* (a saying of a Companion)].

(١٣٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «الشَّفَقُ الْحُمْرَةُ». رَوَاهُ الدَّارَقُطْنِيُّ، وَصَحَّحَ ابْنُ خُزَيْمَةَ وَغَيْرُهُ وَقْفَهُ.

139. Narrated Ibn 'Abbās (رضي الله عنه): Allāh's Messenger ﷺ said that, "Dawn is of two types; the dawn in which eating is forbidden (for the fasting person) and prayer is permitted and the dawn in

(١٣٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الْفَجْرُ فَجْرَانِ: فَجْرٌ يُحَرِّمُ الطَّعَامَ وَتَحِلُّ فِيهِ الصَّلَاةُ، وَفَجْرٌ تَحْرُمُ فِيهِ الصَّلَاةُ، أَيْ صَلَاةَ الصُّبْحِ، وَيَحِلُّ

[1] Here "burial" means Funeral prayers. Funeral prayers should not be offered in these times, but the burial of a dead body is permissible. According to certain scholars, even burial is not allowed. Therefore, in such a situation it means that burial should not be deliberated at this time, but if time happens while performing the rites of funeral or there is no other way, then burial is permissible.

[2] The second ruling means noon time, no prayer should be offered at this time, but Friday is excluded from this order. On Friday it is permitted to pray at decline, as it is evident from a *Hadīth* reported by Abū Huraira.

[3] He is Abū Muhammad or Abū 'Umaiya Jubair bin Mut'im bin 'Adi bin Naufal Al-Qurashi. He was very tolerant, sober and knowledgeable in the lineage of Quraish. He became a Muslim before the *Fath* (conquest of Makkah) and settled at Al-Madīnah and died there in 54 H. or 57 H. or 59 H.

which prayer is forbidden i.e. the morning prayer and eating is permitted." [Reported by Ibn Khuzaima and Al-Hākim who (both) graded it *Sahih*]. Al-Hākim reported something similar to the above *Hadīth* from Jābir and added to the type of dawn in which eating is forbidden: "it is spread widely in the horizon," and to the other type: "it has the shape of a wolf's tail."

فِيهِ الطَّعَامُ». رَوَاهُ ابْنُ خُزَيْمَةَ وَالحَاكِمُ، وَصَحَّحَاهُ، وَلِلْحَاكِمِ مِنْ حَدِيثِ جَابِرٍ نَحْوُهُ، وَزَادَ فِي الَّذِي يُحَرِّمُ الطَّعَامَ: إِنَّه يَذْهَبُ مُسْتَطِيلاً فِي الأُفُقِ. وَفِي الآخَرِ: «إِنَّهُ كَذَنَبِ السِّرْحَانِ».

140. Narrated Ibn Mas'ūd ؓ: Allāh's Messenger ﷺ said, "One of the best deeds is to offer *Salāt* (prayer) in its early time."[1] [Reported by At-Tirmidhi and Al-Hākim who (both) graded it *Sahih*. Its basic meaning is in the *Sahihain* of Al-Bukhāri and Muslim].

(١٤٠) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَفْضَلُ الأَعْمَالِ الصَّلَاةُ فِي أَوَّلِ وَقْتِهَا». رَوَاهُ التِّرْمِذِيُّ وَالحَاكِمُ، وَصَحَّحَاهُ، وَأَصْلُه فِي الصَّحِيحَيْنِ.

141. Narrated Abū Mahdhūra ؓ: The Prophet ﷺ said, "The earliest time of prayer is what pleases Allāh, the midtime is for the mercy of Allāh and the latest time is what Allāh pardons." [Reported by Ad-Dāraqutni with a very weak *Sanad* (chain)], At-Tirmidhi has reported something similar, narrated by Ibn 'Umar, without mentioning the midtime. [It is *Da'if* (weak) too].

(١٤١) وَعَنْ أَبِي مَحْذُورَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: أَوَّلُ الوَقْتِ رِضْوَانُ اللهِ، وَأَوْسَطُهُ رَحْمَةُ اللهِ، وَآخِرُهُ عَفْوُ اللهِ». أَخْرَجَهُ الدَّارَقُطْنِيُّ بِسَنَدٍ ضَعِيفٍ جِدًّا وَلِلتِّرْمِذِيِّ مِنْ حَدِيثِ ابْنِ عُمَرَ نَحْوُهُ دُونَ الأَوْسَطِ وَهُوَ ضَعِيفٌ أَيْضاً.

142. Narrated Ibn 'Umar ؓ: Allāh's Messenger ﷺ said, "There is no *Salāt* (i.e. voluntary prayer) after the break of dawn except *sajdatain* [*Sunnah* of *Fajr*]."[2] [Reported by *Al-Khamsa* except An-Nasā'i].

(١٤٢) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا صَلَاةَ بَعْدَ الفَجْرِ إِلَّا سَجْدَتَيْنِ». أَخْرَجَهُ الخَمْسَةُ إِلَّا النَّسَائِيَّ.

In another narration: 'Abdur-Razzāq also narrated: "There is no *Salāt*

وَفِي رِوَايَةِ عَبْدِ الرَّزَّاقِ: «لَا صَلَاةَ بَعْدَ طُلُوعِ

[1] In this *Hadīth* a prayer offered at its early time is regarded as a superior act. In some other *Ahadīth*, *Imān* (belief – إيمان) *Sadaqa* (charity – صدقة) and *Jihād* (fighting in Allāh's cause – جهاد) are described as the superior acts. These *Ahadīth* are accordant in the way that belief is an action of credence, prayer is an action of body, charity is an action of wealth, and *Jihād* is an action of youth and health. Therefore, these are all superior acts in their own way and place, and there is no contradiction among them.

[2] It means that after the appearance of dawn, voluntary (*Nawafil*) prayers are undesirable; but the two *Sunnah Rak'at* of *Fajr* are excepted and can be offered after the break of dawn.

(voluntary prayer) after the break of dawn except the two (*Sunnah*) *Rak'a* of *Fajr*."[1]

الفَجْرِ إِلَّا رَكْعَتَيِ الفَجْرِ» وَمِثْلُهُ لِلدَّارَقُطْنِيِّ عَنِ ابْنِ عَمْرِو بْنِ العَاصِ.

143. Narrated Umm Salama ﵂: Allāh's Messenger ﷺ came to my house after offering *'Asr* prayer and offered two *Rak'a*, then I asked him about that and he replied, "I was kept busy (and failed to pray) the two (*Sunnah*) *Rak'a* after *Zuhr* prayer, so I offered them now." I asked him, "Should we offer them if we miss them?" He (ﷺ) replied, "No."[2] [Reported by Ahmad; the narration of Abū Dā'ud from 'Aisha ﵂ has the same meaning].

(١٤٣) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: صَلَّى رَسُولُ اللهِ ﷺ العَصْرَ، ثُمَّ دَخَلَ بَيْتِي، فَصَلَّى رَكْعَتَيْنِ، فَسَأَلْتُهُ فَقَالَ: شُغِلْتُ عَنْ رَكْعَتَيْنِ بَعْدَ الظُّهرِ فَصَلَّيْتُهُمَا الآنَ. فَقُلْتُ: أَفَنَقْضِيهِمَا إِذَا فَاتَتَا قال: «لَا». أَخْرَجَهُ أَحْمَدُ، وَلِأَبِي دَاوُدَ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا بِمَعْنَاهُ.

Chapter 2
AL-ADHĀN[3]
(THE CALL TO PRAYER)

٢ - بَابُ الأَذَانِ

144. Narrated 'Abdullāh bin Zaid bin Abd-Rabbihi[4] ﵁: A man appeared to me while I was asleep[5] and told me

(١٤٤) عَنْ عَبْدِ اللهِ بْنِ زَيْدِ بنِ عَبْدِ رَبِّهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: طَافَ بِي - وَأَنَا نَائِمٌ -

[1] The two *Rak'a* are the *Sunnah* ones before the obligatory *Fajr* prayer which the Prophet ﷺ never used to leave even after the break of dawn, as indicated by this *Hadīth* and others.

[2] This *Hadīth* gives the information that after *'Asr* prayer, offering of the missed supererogatory prayers was only for the noble Prophet ﷺ, while others are not allowed to offer the supererogatory or the voluntary prayers at this time. The Prophet ﷺ prayed because some people of the tribe of Abdul-Qais came to him and some goods of charity were also brought, so their visit and distribution of goods made him late.

[3] The words of *Adhān* (أذان – call to prayer) are Divinely fixed. These words cannot be lessened or added to, changed or interchanged. These words were inspired to 'Abdullāh bin Zaid Ansāri and 'Umar bin Khattāb by an angel in a dream and were affirmed by the Prophet ﷺ and obtained the status of Revelation. There is also an indication in the noble Qur'ān about it.

[4] 'Abdullāh is an Ansāri, a Khazraji and was nicknamed Abū Muhammad. He witnessed Al-'Aqaba, Badr and the important battles. He was shown how to call for prayers in a dream during the first year of the migration, after the building of the Prophet's Mosque. He died in the year 32 H. at the age of 64 years.

[5] It happened that when the Muslims increased in number, the problem of calling for prayer arose. Different suggestions were forwarded. Some suggested to ring a bell. The Prophet ﷺ answered that this was the way of Christians. Some suggested to blow a horn, the Prophet ﷺ answered that this was the way of Jews. Some others suggested to light a fire. The Prophet ﷺ answered that this was the practice of the Magians. No decision was made. Same night 'Abdullāh bin Zaid dreamed that a man was standing with bell in his hand. 'Abdullāh asked him whether he would sell it? The man asked 'Abdullāh about the purpose of the purchase. 'Abdullāh told him that he would call the Muslims for prayer by blowing it. He asked him

to say, "*Allābu Akbar, Allābu Akbar* (Allāh is the Most Great, Allāh is the Most Great)" and he mentioned the *Adhān* with *Allābu Akbar* four times without *Tarji'*,[1] and the *Iqāma* once except *Qad qāmat-is-Salāb*[2] (the prayer stood ready to begin), (he repeated it twice). He ('Abdullāh) said when it was morning I went to Allāh's Messenger ﷺ and he said, "It is a true vision..." [Reported by Ahmad and Abū Dā'ud; At-Tirmidhi and Ibn Khuzaima graded it *Sahib* (authentic)].

رَجُلٌ، فَقَالَ: تَقُولُ: «اللَّهُ أَكْبَرُ اللَّهُ أَكْبَرُ» فَذَكَرَ الأَذَانَ بِتَرْبِيعِ التَّكْبِيرِ بِغَيْرِ تَرْجِيعٍ، وَالإِقَامَةَ فُرَادَى، إِلَّا «قَدْ قَامَتِ الصَّلَاةُ» قَالَ: فَلَمَّا أَصْبَحْتُ أَتَيْتُ رَسُولَ اللهِ ﷺ، فقال: «إِنَّهَا لَرُؤْيَا حقٌّ»، الحديث. أَخْرَجَهُ أَحْمَدُ وَأَبُو دَاوُدَ وَصَحَّحَهُ التِّرمِذِيُّ وَابْنُ خُزَيْمَةَ.

Ahmad added to the end of the above *Hadīth*, the story of Bilal's[3] statement in the *Fajr Adhān* (morning-prayer call): *As-Salātu kbairun minan-nawm* – "Prayer is better than sleep".

وَزَادَ أَحْمَدُ فِي آخِرِهِ قِصَّةَ قَوْلِ بِلَالٍ فِي أَذَانِ الفَجْرِ: «الصَّلَاةُ خَيْرٌ مِنَ النَّوْمِ».

Ibn Khuzaima reported from Anas ﷺ: "It is from the *Sunnab* that when the *Mu'adbdbin* says [in the *first Adhan* of] *Fajr* (prayer time): '*Haiya 'alal-Falāb* (Come to the success)', he says (also) '*As-Salātu kbairun minan-nawm* (Prayer is better than sleep).'"

وَلابْنِ خُزَيْمَةَ عَنْ أَنَسٍ قَالَ: مِنَ السُّنَّةِ إِذَا قَالَ المُؤَذِّنُ فِي الفَجْرِ: «حَيَّ عَلَى الفَلَاحِ» قَالَ: «الصَّلَاةُ خَيْرٌ مِنَ النَّوْمِ».

145. Narrated Abū Mahdhūra ﷺ: The Prophet ﷺ taught him the *Adbān* (call to prayer) and he (the narrator) mentioned the *Tarji'* in it. [Muslim

(١٤٥) وَعَنْ أَبِي مَحْذُورَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ عَلَّمَهُ الأَذَانَ، فَذَكَرَ فِيهِ التَّرْجِيعَ. أَخْرَجَهُ مُسْلِمٌ، وَلٰكِن ذَكَر التَّكْبِيرَ فِي

---

about telling a better way than that, and recited the words of *Adhān* (call to the prayer). In the morning 'Abdullāh told this dream to the Prophet ﷺ and he testified the dream to be true.

[1] *Tarji'* (doubling, repeating or getting back) is to utter the words of testimony (*Shahādatain* i.e. *Ash-hadu an lā ilāha ill-Allāh, Ash-hadu anna Muhamadan Rasūlullāh*) twice with a low voice, then utter them with a loud voice.

[2] In *Iqāma* (call to the start of prayer) all the other words of *Takbir* (glorification of Allāh – but here means *Iqāma*) are uttered once except the words '(قد قامت الصلاة)' (meaning: The prayer stood ready to begin) which are to be repeated twice.

[3] He is Bilāl bin Rabāh, a manumitted slave of Banu Taim. He became a Muslim very early and was tortured in the cause of Allāh. He fought in Badr and in all the other major battles. He was the *Mu'adhdhin* of Allāh's Messenger ﷺ and never announced the *Adhān* for anyone else, except one time when he came back from Damascus, where he had settled at, to Al-Madīnah. It is said that he did not finish it due to the noise made by the weeping *Sahāba* out of nostalgia. He died in Shām in 17 H. or 18 H. or 20 H. at the age of sixty and something years and did not leave behind any children.

أَوَّلِهِ مَرَّتَيْنِ فَقَطْ، وَرَوَاهُ الخَمْسَةُ فَذَكَرُوهُ مُرَبَّعاً.

reported it, but mentioned the phrase (*Takbir*) "Allāh is the Most Great" at its beginning just twice.[1] *Al-Khamsa* reported it, but mentioned the *Takbir* four times].

(١٤٦) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أُمِرَ بِلَالٌ أَن يَّشْفَعَ الأَذَانَ، وَيُوتِرَ الإِقَامَةَ إِلَّا الإِقَامَةَ. يَعْنِي إِلَّا «قَدْ قَامَتِ الصَّلَاةُ». مُتَّفَقٌ عَلَيْهِ، وَلَمْ يَذْكُرْ مُسْلِمٌ الاسْتِثْنَاءَ، وَلِلنَّسَائِيِّ: أَمَرَ النَّبِيُّ ﷺ بِلَالاً.

146. Narrated Anas ﷺ: Bilāl was commanded to announce the *Adhān* (each phrase) twice[2] and the *Iqāma* (each phrase) once[3] except "The prayer stood ready to begin" (to be pronounced twice). [Agreed upon; but Muslim did not mention the exception]. A narration of An-Nasā'i has: "Bilāl was ordered by the Prophet ﷺ."

(١٤٧) وَعَنْ أَبِي جُحَيْفَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: رَأَيْتُ بِلَالاً يُؤَذِّنُ، وَأَتَتَبَّعُ فَاهُ هٰهُنَا وَهٰهُنَا، وَإِصْبَعَاهُ فِي أُذُنَيْهِ. رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ.

147. Narrated Abū Juhaifa[4] ﷺ: I saw Bilāl calling for prayer and I would follow (looking at) his mouth (as he turned it) this (right) side and that (left) side[5] with his fingers in his ears. [Reported by Ahmad and At-Tirmidhi who graded it *Sahih* (authentic)].

وَلِابْنِ مَاجَهْ: وَجَعَلَ إِصْبَعَيْهِ فِي أُذُنَيْهِ. وِلأَبِي دَاوُدَ: لَوَى عُنُقَهُ لَمَّا بَلَغَ «حَيَّ عَلَى الصَّلَاةِ» يَمِيناً وَشِمَالاً، وَلَمْ يَسْتَدِرْ. وَأَصْلُهُ فِي الصَّحِيحَيْنِ.

In a narration of Ibn Mājah – 'and he put his fingers in his ears'; and also a narration of Abū Dā'ud – 'he turned his neck to the right and left when he reached *Haiya 'alas-Salāh* (Come to the prayer) and did not turn his body'; and its basic meaning is in *Sahihain* (Al-Bukhari and Muslim).

[1] At the start of *Adhān* (call to prayer) the words *Allāhu Akbar* (Allāh is the Most Great – الله أكبر) should be repeated four times, repeating them twice is not correct as the Five (*Al-Khamsa* – Abū Dā'ud, Tirmidhi, Nasā'i, Ibn Mājah and Ahmad) have narrated it.

[2] *Adhān* (the call to prayer) with *Tarji'* and without *Tarji'* is allowed, in the same way *Iqāma* is also allowed in single or double. But it is preferable to announce the *Adhān* with *Tarji'* and the *Iqāma* without repetition.

[3] It means that the words قد قامت الصلاة (prayer stood ready to begin) should be repeated twice and the rest of the words be uttered only once.

[4] Abū Juhaifa's name is Wahab bin 'Abdullāh As-Suwā'i Al-'Aamiri who was among the young *Sahāba*. He settled at Kufa. 'Ali made him the incharge of *Baitul-Māl* and he witnessed with him all the battles. He died at Kufa in 74 H.

[5] While pronouncing the words حي على الصلاة and حي على الفلاح turning the face to the right and left is *Sunnah*. Turning of the whole body is not allowed. The *Ahadīth* which disallow turning mean the turning of whole body and not the face.

148. Narrated Abū Mahdhūra ﷺ: The Prophet ﷺ liked his voice,[1] so he taught him the *Adhān* (call to prayer). [Reported by Ibn Khuzaima].

(١٤٨) وَعَنْ أَبِي مَحْذُورَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ أَعْجَبَهُ صَوْتُه فَعَلَّمَهُ الأَذَانَ. رَوَاهُ ابْنُ خُزَيْمَةَ.

149. Narrated Jābir bin Samura ﷺ: I prayed with the Prophet ﷺ the two *'Eids,* not only once or twice,[2] without an *Adhān* or an *Iqāma*. [Reported by Muslim; a similar narration is in Al-Bukhāri and Muslim narrated by 'Abdullāh bin 'Abbās (ﷺ) and others].

(١٤٩) وَعَنْ جَابِرِ بْنِ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّيْتُ مَعَ النَّبِيِّ ﷺ العِيدَيْنِ، غَيْرَ مَرَّةٍ وَلَا مَرَّتَيْنِ، بِغَيْرِ أَذَانٍ وَلَا إِقَامَةٍ. رَوَاهُ مُسْلِمٌ، وَنَحْوُهُ فِي المُتَّفَقِ عَلَيْهِ عَنِ ابْنِ عَبَّاسٍ وَغَيْرِهِ.

150. Narrated Abū Qatada ﷺ in a long *Hadīth* about their (*Sahāba*) sleeping late past the time of *Salāt* (prayer): Then Bilāl proclaimed the *Adhān* and the Prophet ﷺ offered the prayer (while leading the Companions) as he used to do every day.[3] [Reported by Muslim].

(١٥٠) وَعَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ فِي الحَدِيثِ الطَّوِيلِ فِي نَوْمِهِمْ عَنِ الصَّلَاةِ: ثُمَّ أَذَّنَ بِلَالٌ، فَصَلَّى النَّبِيُّ ﷺ كَمَا كَانَ يَصْنَعُ كُلَّ يَوْمٍ. رَوَاهُ مُسْلِمٌ.

Muslim also reported from Jabir ﷺ: The Prophet ﷺ came to Al-Muzdalifa[4] and offered at it both the *Maghrib* and *'Ishā'* prayers with one *Adhān* and two *Iqāma.*

وَلَهُ عَنْ جَابِرٍ رَضِيَ اللَّهُ عَنْهُ: أَنَّ النَّبِيَّ ﷺ أَتَى المُزْدَلِفَةَ، فَصَلَّى بِهَا المَغْرِبَ وَالعِشَاءَ بِأَذَانٍ وَاحِدٍ وإِقَامَتَيْنِ.

Muslim also reported from Ibn 'Umar ﷺ: The Prophet ﷺ combined the *Maghrib* and *'Ishā'* prayers with one

وَلَهُ عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا: جَمَعَ النَّبِيُّ ﷺ بَيْنَ المَغْرِبِ وَالعِشَاءِ بِإِقَامَةٍ

[1] It means that a *Mu'adhdhin* (the caller to prayer) should be appointed having a melodious voice.

[2] It means that prayer of the two *'Eid* are offered without *Adhān* and *Iqāma* (calls to the prayer).

[3] If a *Qada* (missed prayer) is intended to be offered in congregation then *Adhān* (call to prayer) for it is also *Sunnah*. Once it happened that the Prophet ﷺ and his Companions رضي الله عنهم travelled late night. When they stopped and were going to sleep, they were not certain about waking up in the morning at prayer time, therefore, they asked Bilāl to remain awake and watchful. Sleep overwhelmed him and he too went to sleep. The Prophet ﷺ was the first to wake up after sunrise and asked the Companions رضي الله عنهم to rise. They moved from the place a little and prayed after calling to the prayer.

[4] Muzdalifa (مزدلفه) is a place between Makkah and 'Arafāt. The night between 9th and 10th of Dhul-Hijja, after returning from 'Arafāt, is spent here during *Hajj*. *Maghrib* (sunset) and *'Isha'* (night) prayers are offered together here with one *Adhān* but the *Iqāma* for each prayer is pronounced separately. It means that whenever congregational prayer is offered, *Iqāma* should be pronounced for it.

Iqāma. Abū Dā'ud added the words: "for each prayer." And in another narration he reported: the *Adhān* was not announced for any one of them".[1]

وَاحِدَةٍ. وَزَادَ أَبُو دَاوُدَ: «لِكُلِّ صَلَاةٍ» وَفِي رِوَايَةٍ لَه: وَلَمْ يُنَادِ فِي وَاحِدَةٍ مِنْهُمَا.

151. Narrated Ibn 'Umar and 'Aisha ﷺ: Allāh's Messenger ﷺ said, "Bilāl[2] calls for prayer when it is still night, so eat and drink till Ibn Umm Maktūm[3] calls for prayer." And he (Ibn Umm Maktūm) was a blind man who did not call for prayer until he was told: "It is morning time, it is morning time". [Agreed upon. There is an *Idrāj*[4] in its last part].

(١٥١) وَعَنِ ابْنِ عُمَرَ وَعَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُما، قَالَا: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ بِلَالاً يُؤَذِّنُ بِلَيْلٍ، فَكُلُوا وَاشْرَبُوا حَتَّى يُنَادِيَ ابْنُ أُمِّ مَكْتُومٍ، وَكَانَ رَجُلاً أَعْمَى لَا يُنَادِي حَتَّى يُقَالَ لَهُ: أَصْبَحْتَ أَصْبَحْتَ». مُتَّفَقٌ عَلَيْهِ، وَفِي آخِرِهِ إِدْرَاجٌ.

152. Narrated Ibn 'Umar ﷺ: Bilāl called for prayer before dawn and the Prophet ﷺ told him to return[5] and announce: "Lo! the slave of Allāh (i.e. Bilāl) had slept (hence this mistake)". [Reported by Abū Dā'ud, and graded as *Da'if* (weak)].

(١٥٢) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُما: أَنَّ بِلَالاً أَذَّنَ قَبْلَ الفَجْرِ، فَأَمَرَهُ النَّبِيُّ ﷺ أَنْ يَرْجِعَ فَيُنَادِي: أَلَا إِنَّ العَبْدَ نَامَ. رَوَاهُ أَبُو دَاوُدَ، وَضَعَّفَهُ.

153. Narrated Abū Sa'īd Al-Khudri ﷺ: Allāh's Messenger ﷺ said, "When you hear the *Adhān* repeat[6] what the *Mu'adhdhin* (the call-maker) says." [Agreed upon].

(١٥٣) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا سَمِعْتُمُ النِّدَاءَ فَقُولُوا: مِثْلَ مَا يَقُولُ المُؤَذِّنُ». مُتَّفَقٌ عَلَيْهِ.

---

[1] This *Hadīth* is in contradiction with the *Hadīth* narrated by Jābir رضي الله عنه in which one *Adhān* and two *Iqāma* are mentioned; the hadith of Jabir is to be acted upon because affirmation supersedes negation.

[2] The Prophet ﷺ had appointed two *Mu'adhdhin* (call-makers) one for pronouncing the call to manifest the time of eating *Sahūr* (predawn meals for fasting) etc., and the other to make the call indicating the beginning of the time for the dawn prayer.

[3] He is 'Amr or 'Abdullāh bin Qais Al-Qurashi Al-'Aamiri, the blind man mentioned in *Surat 'Abasa*. He became a Muslim long ago and made the *Hijra* (migration). The Prophet ﷺ placed him in charge of Al-Madīnah 13 times leading the people in prayers. He was martyred at Al-Qādisiya while holding the flag that day.

[4] *Idrāj* (insertion – إدراج) means that the sentence... وكان رجلا أعمى ... (...And he was a blind man ...) was not spoken by the Prophet ﷺ but the reporter has added this from himself.

[5] It informs that, by any reason, if *Adhān* is announced before its time than it should be repeated at its proper time.

[6] It is an order that, on hearing it, one should repeat the words of *Adhān* in response – in all cases, whether one is with ablution or not, is in a pure state or in a post-discharge or menstruation state; but while engaged in sexual intercourse or in the toilet, it is not proper

And Al-Bukhāri has reported similarly in a narration by Mu'āwiya ؓ.

وَلِلْبُخَارِيِّ عَنْ مُعَاوِيَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مِثْلُهُ.

And Muslim reported a narration by 'Umar ؓ regarding the virtue of repeating what the *Mu'adhdhin* pronounces word by word except when the *Mu'adhdhin* says: "*Haiya 'alas-Salah, Haiya 'alal-Falāh* (Come to the prayer and come to the success)", one should say: "*Lā hawla wa lā quwwata illā billāh* [there is no might and no power except with (the help of) Allāh]."

وَلِمُسْلِمٍ عَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فِي فَضْلِ الْقَوْلِ كَمَا يَقُولُ الْمُؤَذِّنُ كَلِمَةً كَلِمَةً سِوَى الْحَيْعَلَتَيْنِ، فَيَقُولُ: لَا حَوْلَ وَلَا قُوَّةَ إِلَّا بِاللهِ.

154. Narrated 'Uthmān bin Abūl-'Aas[1] ؓ: He said, "O Messenger of Allāh, appoint me as the *Imām* (leader) of my people (in prayers). He (ﷺ) said, "You are their *Imām*, but you should follow (observe the strength of) the weakest[2] among them and appoint a *Mu'adhdhin* who does not charge[3] for the call of *Adhān*." [Reported by *Al-Khamsa*, At-Tirmidhi graded it *Hasan* (good) and Al-Hākim graded it *Sahih* (authentic)].

(١٥٤) وَعَنْ عُثْمَانَ بْنِ أَبِي الْعَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّهُ قَالَ: يَا رَسُولَ اللهِ! اجْعَلْنِي إِمَامَ قَوْمِي، فَقَالَ: «أَنْتَ إِمَامُهُمْ وَاقْتَدِ بِأَضْعَفِهِمْ، وَاتَّخِذْ مُؤَذِّنًا لَا يَأْخُذُ عَلَى أَذَانِهِ أَجْرًا». أَخْرَجَهُ الْخَمْسَةُ وَحَسَّنَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ الْحَاكِمُ.

155. Narrated Mālik bin Al-Huwairith[4] ؓ: The Prophet ﷺ said to us, "When the time of *Salāt* (prayer) comes, one of you should announce the *Adhān*."[5] [Reported by *As-Sab'a*].

(١٥٥) وَعَنْ مَالِكِ بْنِ الْحُوَيْرِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ لَنَا النَّبِيُّ ﷺ: «إِذَا حَضَرَتِ الصَّلَاةُ، فَلْيُؤَذِّنْ لَكُمْ أَحَدُكُمْ» الْحَدِيثَ، أَخْرَجَهُ السَّبْعَةُ.

---

to answer.

[1] He is nicknamed Abū Abdullāh and was the youngest among the Tā'if delegation of Banu Thaqif. The Prophet ﷺ appointed him incharge of Tā'if, and he stopped his people from apostating so they remained in Islam. Umar appointed him as the governor of Bahrain and 'Omān. He died at Basra in 51 H.

[2] *Imām* (leader of the prayer) should consider the weak and old people by not extending the prayer so long, as to cause them to leave the congregational prayer.

[3] It means that a *Mu'adhdhin* (call-maker) should not receive a salary for the job, but this is not a prohibition but only a desirable suggestion.

[4] He belonged to Banū Laith and was nicknamed Abū Salmān. He visited the Prophet ﷺ and stayed with him for twenty nights. He settled at Basra and died there in 74 H.

[5] It means that during a journey also, announcing *Adhān* (call to prayer) and praying in congregation is *Sunnah*.

(١٥٦) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ لِبِلَالٍ: «إِذَا أَذَّنْتَ فَتَرَسَّلْ، وَإِذَا أَقَمْتَ فَاحْدُرْ، وَاجْعَلْ بَيْنَ أَذَانِكَ وَإِقَامَتِكَ مِقْدَارَ مَا يَفْرُغُ الآكِلُ مِنْ أَكْلِهِ»، الحديث. رَوَاهُ التِّرْمِذِيُّ، وَضَعَّفَهُ.

156. Narrated Jābir ﷺ: Allāh's Messenger ﷺ said to Bilāl, "When you announce the *Adhān*, utter deliberately and when you pronounce the *Iqāma* utter quickly, and leave between your *Adhān* and your *Iqāma* time for one who is eating to finish[1] his food." [Reported by At-Tirmidhi who graded it *Da'if* (weak)].

وَلَهُ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَا يُؤَذِّنُ إِلَّا مُتَوَضِّئٌ». وَضَعَّفَهُ أَيْضاً.

He also reported from Abū Huraira ﷺ: The Prophet ﷺ said, "No one should announce *Adhān* except the one who has performed the ablution[2] ". [Reported by At-Tirmidhi who graded it *Da'if* (weak)].

وَلَهُ عَنْ زِيَادِ بْنِ الحَارِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «وَمَنْ أَذَّنَ فَهُوَ يُقِيمُ». وَضَعَّفَهُ أَيْضاً.

He also reported from Ziyād bin Al-Harith[3] ﷺ : Allāh's Messenger ﷺ said, "The one who announces the *Adhān* should also[4] pronounce the *Iqāma.*" [Reported by At-Tirmidhi who graded it *Da'if* (weak)].

وَلأَبِي دَاوُدَ من حَدِيثِ عَبْدِ اللهِ بْنِ زَيْدٍ، أَنَّهُ قَالَ: أَنَا رَأَيْتُهُ، يَعْنِي الأَذَانَ، وَأَنَا كُنْتُ أُرِيدُهُ، قَالَ: فَأَقِمْ أَنْتَ. وَفِيهِ ضَعْفٌ أَيْضاً.

Narrated 'Abdullāh bin Zaid in another narration of the *Hadīth* reported by Abū Dā'ud: I saw it, i.e. the *Adhān* (in a vision) and I wanted to announce it. Allāh's Messenger ﷺ said, "You pronounce the *Iqāma*." [This *Hadīth* is also *Da'if* (weak)].

(١٥٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «المُؤَذِّنُ أَمْلَكُ بِالأَذَانِ، وَالإِمَامُ أَمْلَكُ بِالإِقَامَةِ». رَوَاهُ ابْنُ

157. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "The *Mu'adhdhin* has more right to [determine the time to] announce the *Adhān* and the *Imām*

[1] Some issues are known with this *Hadīth*: (i) *Adhān* (call for the prayer) should be announced in a loud voice with short pauses in between. (ii) *Iqāma* (call for the start of congregational prayer) should be pronounced quickly. (iii) There should be enough time between *Adhān* and *Salāt*, so that a man can join the congregation after finishing his meals or after answering the call of nature, and performing the ablution. Some religious scholars have measured the time up to four *Rak'at* prayer.

[2] The supererogatory way is to announce *Adhān* after performing ablution, but if there is no other way, it can be announced without ablution. This would be a suggestive prohibition and not an absolute one [if the hadith is accepted as a proof].

[3] He was a *Sahābi* from Sudā' in Yemen. He entered into a covenant with the Prophet ﷺ and pronounced the *Adhān* before him. He is considered to have settled at Basra.

[4] This indicates that the same person should pronounce *Iqāma* who has announced the *Adhān*, but if he permits, another person can also pronounce *Iqāma*.

has more right to [determine when to] pronounce the *Iqāma.*" [Reported by Ibn 'Adi who graded it *Da'if* (weak)]. Al-Baihaqi has reported a similar narration from the saying of 'Ali ﷺ.

عَدِيٍّ، وَضَعَّفَهُ، وَلِلْبَيْهَقِيِّ نَحْوُهُ عَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مِنْ قَوْلِهِ.

158. Narrated Anās bin Mālik ﷺ: Allāh's Messenger ﷺ said, "A supplication made between the *Adhān* and *Iqāma* is not rejected." [Reported by An-Nasā'i and Ibn Khuzaima graded it *Sahih* (authentic)].

(١٥٨) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يُرَدُّ الدُّعَاءُ بَيْنَ الأَذَانِ وَالإِقَامَةِ». رَوَاهُ النَّسَائِيُّ وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

159. Narrated Jābir ﷺ: Allāh's Messenger ﷺ said, "If anyone says when he hears the *Adhān*: 'O Allāh! Lord of this perfect call[1] and of the regular prayer which is going to be established! Kindly give Muhammad (ﷺ) the right of intercession and superiority,[2] and send him (on the Day of Judgement) to the best and the highest place in Paradise which You promised him', he will be assured of my intercession on the Day of Judgement." [Reported by *Al-Arba'a*].

(١٥٩) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَنْ قَالَ حِينَ يَسْمَعُ النِّدَاءَ: اللَّهُمَّ رَبَّ هَذِهِ الدَّعْوَةِ التَّامَّةِ، وَالصَّلَاةِ القَائِمَةِ، آتِ مُحَمَّداً الوَسِيلَةَ وَالفَضِيلَةَ، وَابْعَثْهُ مَقَاماً مَحْمُوداً الَّذِي وَعَدتَّهُ، حَلَّتْ لَهُ شَفَاعَتِي يَوْمَ القِيَامَةِ». أَخْرَجَهُ الأَرْبَعَةُ.

Chapter 3
THE CONDITIONS OF *SALAT* (PRAYER)

٣ - بَابُ شُرُوطِ الصَّلَاةِ

160. Narrated 'Ali bin Talq[3] ﷺ: Allāh's Messenger ﷺ said, "When one of you releases air (through his anus) during *Salāt* (prayer), he should break the *Salāt* (prayer) then perform ablution and repeat the prayer."[4] [Reported

(١٦٠) عَنْ عَلِيِّ بْنِ طَلْقٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ ﷺ: «إِذَا فَسَا أَحَدُكُمْ فِي الصَّلَاةِ، فَلْيَنْصَرِفْ، وَلْيَتَوَضَّأْ وَلْيُعِدِ الصَّلَاةَ». رَوَاهُ الخَمْسَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

---

[1] Perfect call (الدعوة التامة) means the luminosity of the Oneness of Allāh and the light of Prophethood.

[2] Besides meaning right of intercession and superiority, (وسيلة) is also the name of a place. The Prophet ﷺ said that only one person, among the creation of Allāh, will reach there and hoped by the grace of Allāh that this would be he (ﷺ).

[3] He is 'Ali bin Talq bin Al-Mundhir bin Qais Al-Hanafi, from Banu Hanifa, As-Sahimi and Al-Yamāmi. He was a *Sahābi* and it was said that he was the father of Talq bin 'Ali, but it was also said that these two names belong to the same person.

[4] It means that if ablution is nullified during prayer, it should be made afresh and prayer

by *Al-Khamsa* and Ibn Hibbān graded it *Sahih* (authentic)].

161. Narrated 'Aisha ﷺ: The Prophet ﷺ said, "The *Salāt* (prayer) of a woman, who has reached puberty, is not accepted unless she is wearing a *Khimār* [1] ." [Reported by *Al-Khamsa* except An-Nasā'i. And Ibn Khuzaima graded it *Sahih* (authentic)].

(١٦١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَا يَقْبَلُ اللَّهُ صَلَاةَ حَائِضٍ إِلَّا بِخِمَارٍ». رَوَاهُ الخَمْسَةُ إِلَّا النَّسَائِيَّ وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

162. Narrated Jābir ﷺ: The Prophet ﷺ said, "If the garment is ample, wrap it round your body i.e. during the *Salāt* (prayer)." A narration by Muslim has: "you should cross the two ends, and if it is tight, you should wrap it round your waist." [Agreed upon].

(١٦٢) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ لَهُ: «إِنْ كَانَ الثَّوْبُ وَاسِعاً فَالْتَحِفْ بِهِ، يَعْنِي فِي الصَّلَاةِ». وَلِمُسْلِمٍ: فَخَالِفْ بَيْنَ طَرَفَيْهِ، وَإِنْ كَانَ ضَيِّقاً فَاتَّزِرْ بِهِ». مُتَّفَقٌ عَلَيْهِ.

Narrated Abū Huraira ﷺ: (The Prophet ﷺ said:) None of you should offer *Salāt* (prayer) in a single garment with no part of it on his shoulders. [Agreed upon].

وَلَهُمَا مِنْ حَدِيثِ أَبِي هُرَيْرَةَ: «لَا يُصَلِّي أَحَدُكُمْ فِي الثَّوْبِ الوَاحِدِ، لَيْسَ عَلَى عَاتِقِهِ مِنْهُ شَيْءٌ».

163. Narrated Umm Salama ﷺ: She asked the Prophet ﷺ, "Can a woman pray in a long dress and a veil without wearing a lower garment?" He replied, "If the long dress is ample and covers the surface of her feet."[2] [Reported by Abū Dā'ud and the *Imāms* graded it *Mawqūf* (a saying of Umm Salama)].

(١٦٣) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّهَا سَأَلَتِ النَّبِيَّ ﷺ: أَتُصَلِّي المَرْأَةُ فِي دِرْعٍ وَخِمَارٍ بِغَيْرِ إِزَارٍ؟ قَالَ: «إِذَا كَانَ الدِّرْعُ سَابِغاً يُغَطِّي ظُهُورَ قَدَمَيْهَا». أَخْرَجَهُ أَبُو دَاوُدَ، وَصَحَّحَ الأَئِمَّةُ وَقْفَهُ.

164. Narrated 'Aamir bin Rabi'a ﷺ: We were with the Prophet ﷺ during a dark night and we became uncertain about the *Qiblah* (the direction of Makkah) we then prayed [without be certain]. When the sun rose, we discovered that we had prayed towards a direction other than the *Qiblah*. So this Verse was revealed: "... so wherever you turn

(١٦٤) وَعَنْ عَامِرِ بْنِ رَبِيعَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا مَعَ النَّبِيِّ ﷺ فِي لَيْلَةٍ مُظْلِمَةٍ، فَأَشْكَلَتْ عَلَيْنَا القِبْلَةُ، فَصَلَّيْنَا، فَلَمَّا طَلَعَتِ الشَّمْسُ إِذَا نَحْنُ صَلَّيْنَا إِلَى غَيْرِ القِبْلَةِ، فَنَزَلَتِ الآيَةُ ﴿فَأَيْنَمَا تُوَلُّوا فَثَمَّ وَجْهُ اللَّهِ﴾ أَخْرَجَهُ التِّرْمِذِيُّ، وَضَعَّفَهُ.

should be offered again. This is preferable.

[1] A *Khimār* is a piece of cloth with which a woman covers her head and neck area. It means that the whole body of a woman should be covered including head hair.

[2] It is included in the conditions of prayer that a woman should also cover her feet up to heels otherwise her prayer will not be accepted.

yourselves or your faces, there is the Face of Allāh ..."[1] [Reported by At-Tirmidhi who graded it *Da'if* (weak)].

165. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "The direction between the east and west is a *Qiblah*."[2] [Reported by At-Tirmidhi, and Al-Bukhāri considered it *Qawi* (strong)].

(١٦٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَا بَيْنَ المَشْرِقِ وَالمَغْرِبِ قِبْلَةٌ». أَخْرَجَهُ التِّرمِذِيُّ، وَقَوَّاهُ البُخَارِيُّ.

166. Narrated 'Aamir bin Rabi'a[3] ﷺ: I saw Allāh's Messenger ﷺ praying while mounted on his riding animal facing whatever direction it faced. [Agreed upon]. Al-Bukhāri added: "Making gestures with his head and he did not do that (pray while mounted) with obligatory prayers."

(١٦٦) وَعَنْ عَامِرِ بْنِ رَبِيعَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: رَأَيْتُ رَسُولَ اللهِ ﷺ يُصَلِّي عَلَى رَاحِلَتِهِ حَيْثُ تَوَجَّهَتْ بِهِ. مُتَّفَقٌ عَلَيْهِ، زَادَ البُخَارِيُّ: يُومِىءُ بِرَأْسِهِ، وَلَمْ يَكُنْ يَصْنَعُهُ فِي المَكْتُوبَةِ.

Narrated Anas in another narration of the *Hadīth* reported by Abu Dā'ud: When (he ﷺ) traveled, and intended to pray a voluntary prayer, he used to direct[4] his riding camel towards the *Qiblah*, say, "*Allāhu Akbar*" and pray facing whatever direction it faced. [Its chain is *Hasan* (good)].

وَلأَبِي دَاوُدَ مِنْ حَدِيثِ أَنَسٍ: وَكَانَ إِذَا سَافَرَ فَأَرَادَ أَنْ يَتَطَوَّعَ اسْتَقْبَلَ بِنَاقَتِهِ القِبْلَةَ، فَكَبَّرَ ثُمَّ صَلَّى حَيْثُ كَانَ وَجْهُ رِكَابِهِ. وَإِسْنَادُهُ حَسَنٌ.

167. Narrated Abū Sa'īd Al-Khudri ﷺ: The Prophet ﷺ said, "The whole earth is a mosque (to pray on) except a graveyard and a toilet." [Reported by At-Tirmidhi and it has an *'Illa* (a defect)].

(١٦٧) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «الأَرْضُ كُلُّهَا مَسْجِدٌ إِلَّا المَقْبَرَةَ وَالحَمَّامَ». رَوَاهُ التِّرْمِذِيُّ، وَلَهُ عِلَّةٌ.

[1] *Al-Baqarah* 2: Verse 115.

[2] In these words the Prophet ﷺ has explained the direction of *Qiblah* قبله – Ka'ba direction) to the whole world. The people who reside in east or west of *Qiblah* take the meaning of this *Hadīth* that *Qiblah* is located in between the places of rising and setting of the sun in winter and summer, and those living in north and south locations of *Qiblah* take the meaning that if they stand keeping east and west at their right and left, then their *Qiblah* is between these.

[3] 'Aamir was one of the sons of 'Anz bin Wā'il who was brother to Bakr and Taghlib, sons of Wā'il. He was a *Sahābi* who became Muslim very early and made the two *Hijra*. He participated in Badr and all the other battles and died in 32 H. or 33 H. or 35 H.

[4] It means that *Nafl* نفل – voluntary) prayer can be offered while riding, on the condition that at the time of beginning the prayer, one should turn the mount or vehicle towards *Qiblah*, afterward change in direction does not affect the prayer. However, obligatory prayers should not be offered while riding, but ships, boats and planes are excepted.

168. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ forbade[1] prayer at seven places; a dump, a slaughter house, a graveyard, the middle of the path, a bathroom, and where camels sit at a watering place and the top (roof) of the Ka'ba. [Reported by At-Tirmidhi who graded it *Da'if* (weak)].

(١٦٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهما أَنَّ النَّبِيَّ ﷺ نَهَىٰ أَن يُصَلَّى فِي سَبْعِ مَوَاطِنَ: الْمَزْبَلَةِ، وَالْمَجْزَرَةِ، وَالْمَقْبَرَةِ، وَقَارِعَةِ الطَّرِيقِ، وَالْحَمَّامِ، وَمَعَاطِنِ الإِبِلِ، وَفَوْقَ ظَهْرِ بَيْتِ اللهِ. رَوَاهُ التِّرْمِذِيُّ، وَضَعَّفَهُ.

169. Narrated Abū Marthad Al-Ghanawi[2] ﷺ: I heard Allāh's Messenger ﷺ say, "Don't pray towards graves[3] and don't sit on them.[4]" [Reported by Muslim].

(١٦٩) وَعَنْ أَبِي مَرْثَدٍ الغَنَوِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «لَا تُصَلُّوا إِلَى الْقُبُورِ، وَلَا تَجْلِسُوا عَلَيْهَا». رَوَاهُ مُسْلِمٌ.

170. Narrated Abū Sa'īd ﷺ: Allāh's Messenger ﷺ said: "When any of you comes to the mosque he should look and if he sees impurity or filth on his sandals (shoes) he should wipe them and then pray in them". [Reported by Abū Dā'ud, and Ibn Khuzaima graded it *Sahih* (authentic)].

(١٧٠) وَعَنْ أَبِي سَعِيدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا جَاءَ أَحَدُكُمُ الْمَسْجِدَ فَلْيَنْظُرْ، فَإِنْ رَأَى فِي نَعْلَيْهِ أَذًى أَوْ قَذَراً فَلْيَمْسَحْهُ، وَلْيُصَلِّ فِيهِمَا». أَخْرَجَهُ أَبُو دَاوُدَ. وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

171. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "If one of you steps

(١٧١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا وَطِئَ أَحَدُكُمْ

[1] This *Hadīth* is a proof that offering of a prayer in a graveyard is not permissible, whether offered over the graves or amidst the graves, and no matter if the graves are of Muslims or non-Muslims. Offering of a prayer in a graveyard gives an impression of worship of other than Allāh, which is major polytheism. It is prohibited to offer a prayer in a toilet because of its impurity and filthiness, moreover toilet is a place of Satan as it is narrated in the *Hadīth*.

[2] His name is Kannāz bin Husain bin Yarbū' Al-Ghanawi a descendant of Ghani bin Ya'sur, a tribe of Ghatafān. He was a *Sahābi* who witnessed Badr and was an ally of Hamza bin Abdul-Muttalib and also of his age. He attended all the battles and died in 12 H. at the age of 66 years.

[3] It means that it is prohibited to offer a prayer facing the graves. Some people built mosques near the graves of saints to seek the favours of deceased soul. This is also prohibited. In a *Hadīth* by 'Aisha ﷺ, it is clearly worded that 'May Allāh curse Jews and Christians as they made the graves of their Prophets their prayer places'. It may also mean that acts liable to be performed before Allāh in mosques, should not be enacted upon graves; or it may also mean that one should not pray at a place facing graves.

[4] Sitting on graves has two meanings, one to rest or to lean against the graves and, secondly, to take over the graves as *Mujāwir* (مجاور – custodian of graves, who also collects alms and charity in the form of money and other things from people who visit the graves to get the favour of buried souls). In both the respects, it is strictly prohibited. There may be another meaning that one should not sit on graves for answering the call of nature or urination, etc. It is also prohibited.

on filth with his two leather socks then the earth[1] is their purification." [Reported by Abū Dā'ud, and Ibn Hibbān graded it *Sahih* (authentic)].

الأذى بخفيه فطهورهما التراب». أخرجه أبو داود، وصححه ابن حبان.

172. Narrated Mu'āwiya bin Al-Hakam[2] ﷺ: Allāh's Messenger ﷺ said, "Talking is not befitting during the *Salāt* (prayer), for it (prayer) consists only of glorifying Allāh, declaring His Greatness and the recitation of the Qur'ān". [Reported by Muslim].

(١٧٢) وعن معاوية بن الحكم رضي الله تعالى عنه قال: قال رسول الله ﷺ: «إن هذه الصلاة لا يصلح فيها شيء من كلام الناس، إنما هو التسبيح والتكبير وقراءة القرآن». رواه مسلم.

173. Narrated Zaid bin Arqam[3] ﷺ: We used to talk while engaged in *Salāt* (prayer) during the lifetime of Allāh's Messenger ﷺ and one would talk with his companion regarding his needs in prayer till (this verse) was revealed: "Guard strictly the prayers, especially the middle prayer; and stand before Allāh with obedience,"[4] then we were commanded to observe silence (in prayer) and were forbidden to talk.[5] [Agreed upon. This wording is from Muslim].

(١٧٣) وعن زيد بن أرقم قال: إن كنا لنتكلم في الصلاة على عهد رسول الله ﷺ: يكلم أحدنا صاحبه بحاجته، حتى نزلت ﴿حافظوا على الصلوات والصلوة الوسطى وقوموا لله قانتين﴾ فأمرنا بالسكوت، ونهينا عن الكلام. متفق عليه، واللفظ لمسلم.

174. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Glorification of Allāh (i.e. saying is for men and clapping of hands is for women."[6] [Agreed upon. Muslim added: "during

(١٧٤) وعن أبي هريرة رضي الله تعالى عنه قال: قال رسول الله ﷺ: «التسبيح للرجال والتصفيق للنساء». متفق عليه، زاد مسلم: «في

[1] These two *Ahadīth* indicate that offering of a prayer with socks and shoes on is permissible. These also tell that, if shoes get smeared with any kind of filth, dirt, dung and feces, etc., and whatever its nature may be, it is enough to rub it with dust and there is no need to wash with water.

[2] He was a *Sahābi* counted among the inhabitants of Hijāz. He used to visit Al-Madīnah and stay at Banu Sulaim. He died in 117 H.

[3] He was nicknamed Abū 'Amr and was an *Ansāri* and a Khazraji. He first took part in the battle of *Al-Khandaq* and accompanied the Prophet ﷺ in 17 expeditions. He attended the battle of *Siffin* with 'Ali because he was one of his close associates. He settled at Kūfa and died there in 66 H.

[4] *Al-Baqarah* (2); Verse 238.

[5] It means that talking during prayer is not allowed. In the early period of Islam people used to talk in the prayer which was prohibited later on.

[6] In means that if *Imām* (leader of the prayer) makes an unintentional mistake in the prayer, men following him are supposed to say سبحان الله to draw his attention and women

Salāt (prayer)"].[1]

الصَّلَاةِ».

175. Narrated Mutarrif bin Abdullāh bin Shikhkhir[2] ﷺ from his father[3], who said, "I saw Allāh's Messenger ﷺ when he was engaged in prayer, and heard a sound from his chest, like the bubbling of a pot, from weeping.[4]" [Reported by *Al-Khamsa* except Ibn Mājah, and Ibn Hibbān graded it *Sahih* (authentic)].

(١٧٥) وَعَنْ مُطَرِّفِ بْنِ عَبْدِ اللهِ بْنِ الشِّخِّيرِ عَنْ أَبِيهِ قَالَ: رَأَيْتُ رَسُولَ اللهِ ﷺ يُصَلِّي وَفِي صَدْرِهِ أَزِيزٌ كَأَزِيزِ المِرْجَلِ، مِنَ البُكَاءِ. أَخْرَجَهُ الخَمْسَةُ إِلَّا ابْنَ مَاجَه، وَصَحَّحَهُ ابْنُ حِبَّانَ.

176. Narrated 'Ali ﷺ: "I had the permission of Allāh's Messenger ﷺ to see him in his house at two times, and whenever I entered to him while he was praying he would clear his throat[5] as a sign to me." [Reported by An-Nasā'i and Ibn Mājah].

(١٧٦) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ لِي مِنْ رَسُولِ اللهِ ﷺ مَدْخَلَانِ، فَكُنْتُ إِذَا أَتَيْتُهُ وَهُوَ يُصَلِّي، تَنَحْنَحَ لِي. رَوَاهُ النَّسَائِيُّ وَابْنُ مَاجَهْ.

177. Narrated Ibn 'Umar ﷺ: I asked Bilāl ﷺ, "How did you observe the Prophet ﷺ replying to their (the Companions) salutation while he was engaged in prayer?" He (Bilāl) said, "He used to do this way," and he (Bilāl) demonstrated by spreading his palm[6]. [Reported by Abū Dā'ud and At-Tirmidhi. The latter graded it *Sahih* (authentic)].

(١٧٧) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قُلْتُ لِبِلَالٍ: كَيْفَ رَأَيْتَ النَّبِيَّ ﷺ يَرُدُّ عَلَيْهِمْ حِينَ يُسَلِّمُونَ عَلَيْهِ، وَهُوَ يُصَلِّي؟ قَالَ: يَقُولُ هٰكَذَا وَبَسَطَ كَفَّهُ. أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ.

---

are ordered to clap for this purpose, so that their voice may not be heard by men.

[1] That is, if one wants to draw the attention of the *Imām* if he forgets something in the prayer, he should say, '*Subhān Allāh*'. But if it is a woman she claps by beating two fingers of her right hand on her left palm.

[2] He is Mutarrif bin 'Abdullāh bin Ash-Shikhkhir Al-Harashi Al-'Aamiri Al-Basri, among the elder *Tabi'in*. He was reliable, virtuous and a lot of praiseworthy deeds are attributed to him. He died in 95 H.

[3] He is 'Abdullāh bin Ash-Shikhkhir bin 'Auf bin Ka'b Al-Harashi Al-'Aamiri, the latter being a *Sahābi*. He was a member of the delegation of Banu 'Aamir and is considered to have settled at Basra.

[4] According to this *Hadīth* weeping in prayer due to the fear of Allāh is allowed. While some hold the view that crying with some ailment or adversity invalidates the prayer.

[5] It means that hemming or deliberate coughing once or twice does not disrupt the prayer. The book *Musaffa*, a commentary of *Mwatta* (موطا), explains that continuous hemming, crying, weeping or laughing, though not a speech, invalidates the prayer.

[6] It means that a little movement does not disrupt the prayer.

178. Narrated Abū Qatāda ؓ: Allāh's Messenger ﷺ was (one time) offering prayer while he was carrying Umāma, daughter of Zainab,[1] when he prostrated[2] he put her down and when he stood up he lifted her up. [Agreed upon]. Muslim has: "While he ﷺ led the people in the prayer in the *masjid*..."

(١٧٨) وَعَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُصَلِّي، وَهُوَ حَامِلٌ أُمَامَةَ بِنْتَ زَيْنَبَ، فَإِذَا سَجَدَ وَضَعَهَا، وَإِذَا قَامَ حَمَلَهَا. مُتَّفَقٌ عَلَيْهِ، وَلِمُسْلِمٍ: «وَهُوَ يَؤُمُّ النَّاسَ فِي الْمَسْجِدِ».

179. Narrated Abū Huraira ؓ: Allāh's Messenger ﷺ said, "Kill the two black ones during *Salāt* (prayer)[3], the snake and the scorpion." [Reported by *Al-Arba'a,* and Ibn Hibbān graded it *Sahih* (authentic)].

(١٧٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «اقْتُلُوا الأَسْوَدَيْنِ فِي الصَّلَاةِ: الْحَيَّةَ وَالْعَقْرَبَ». أَخْرَجَهُ الأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

Chapter 4
SUTRA[4] (SCREEN) IN PRAYER

٤ - بَابُ سُتْرَةِ الْمُصَلِّي

180. Narrated Abū Juhaim bin Al-Hārith[5] ؓ: Allāh's Messenger ﷺ said, "If the person who passes in front of another person in prayer knew the magnitude of his sin, it would have

(١٨٠) عَنْ أَبِي جُهَيْمِ بْنِ الْحَارِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَوْ يَعْلَمُ الْمَارُّ بَيْنَ يَدَيِ الْمُصَلِّي مَاذَا عَلَيْهِ مِنَ

[1] Umāma was the grand daughter of the Prophet ﷺ born to his daughter Zainab and Abūl-'Aas bin Ar-Rabi'. She was married by 'Ali after the death of Fatima ؓ due to her advice, and when 'Ali was killed, she was married by Al-Mughira bin Naufal, and she died while still under him.

[2] Shah Waliullah of Delhi wrote in his book *Hujjatullāhil-Bāligha* حجة الله البالغة that the Prophet ﷺ deliberately did some small deeds during the prayer to make the people understand that prayer is not disrupted by such. *Ahadīth* confirm that, if need arises, the following do not affect or disrupt the prayer: i) A little utterance. ii) Small movement, small deeds. iii) A little change of place, forward or backward. iv) To make a gesture or indicate a thing with foot. v) To open the door with a small move. vi) To move back, if another person comes to join the prayer. vii) To weep with fear of Allāh. viii) To make a gesture to make something understood. ix) To kill a scorpion or snake. x) To look to either side without moving the neck.

[3] This *Hadīth* proves two things: a) Prayer is not disrupted by killing these, and b) One should not take pity on them. These must be killed and should not be spared as these are harmful.

[4] *Sutra* (سترة) is something which a person offering the prayer puts in front of him as a barrier between him and others.

[5] It is said that his name was 'Abdullāh bin Al-Hārith bin As-Simma Al-Ansāri Al-Khazraji. He was a well-known *Sahābi* who lived up to the caliphate of Mu'āwiya.

been better for him to wait for forty[1] than pass in front of him.[2] [Agreed upon. This wording is from Al-Bukhāri]. It is mentioned in Al-Bazzār through another chain with the addition: "forty years."

الإثْمِ؟ لَكَانَ أَنْ يَقِفَ أَرْبَعِينَ خَيْراً لَهُ مِنْ أَنْ يَمُرَّ بَيْنَ يَدَيْهِ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ. وَوَقَعَ فِي البَزَّارِ مِنْ وَجْهٍ آخَرَ: «أَرْبَعِينَ خَرِيفاً».

181. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ was asked in the expedition of Tabūk about the *Sutra* of the person who is offering the prayer; he said, "It is (something) like the back of a saddle."[3] [Reported by Muslim].

(١٨١) وَعَنْ عَآئِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: سُئِلَ رَسُولُ اللهِ ﷺ فِي غَزْوَةِ تَبُوكَ عَنْ سُتْرَةِ المُصَلِّي، فَقَالَ: «مِثْلُ مُؤْخِرَةِ الرَّحْلِ». أَخْرَجَهُ مُسْلِمٌ.

182. Narrated Sabra bin Ma'bad Al-Juhani[4] ﷺ: Allāh's Messenger ﷺ said, "Let one of you who is in *Salāt* (prayer) put a *Sutra*[5] in front of him even if it is an arrow." [Reported by Al-Hākim].

(١٨٢) وَعَنْ سَبْرَةَ بْنِ مَعْبَدٍ الجُهَنِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لِيَسْتَتِرْ أَحَدُكُمْ فِي الصَّلَاةِ وَلَوْ بِسَهْمٍ». أَخْرَجَهُ الحَاكِمُ.

183. Narrated Abū Dhar Al-Ghifāri ﷺ: Allāh's Messenger ﷺ said, "In case there is not before him (an object) like the back of a saddle, a Muslim's *Salāt* (prayer) would be cut off[6] by (the passing of) a woman, a donkey and a

(١٨٣) وَعَنْ أَبِي ذَرٍّ الغِفَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «يَقْطَعُ صَلَاةَ المَرْءِ المُسْلِمِ - إِذَا لَمْ يَكُنْ بَيْنَ يَدَيْهِ مِثْلُ مُؤْخِرَةِ الرَّحْلِ - المَرْأَةُ وَالحِمَارُ وَالكَلْبُ

[1] It means that passing in front of a person in prayer is prohibited. The reporter of this *Hadīth* Abū An-Nasr stated that he does not know what is meant by forty, it may be days, months or years. But in another *Hadīth* the word 'year' is given.

[2] Up to the place of prostration is the 'frontage' of a person offering the prayers. Crossing beyond the frontage is no offence. This warning is for the person who crosses, and not for the person who is already sitting or praying in front of him, and he makes any movement.

[3] The height of *Sutra* should be at least equal to the rear part of a camel's saddle. Its approximate measure is about one foot. If nothing is available, a mace (rod or staff) can serve the purpose of *Sutra*; and if even that is not available, some scholars say that a line can be drawn on the ground as given in the *(Da'if)* narration of Abū Dā'ud.

[4] Sabra was a *Sahābi* from Al-Madīnah who settled at Dhi Marwa. He was nicknamed Abū Thuraiya. He first took part in *Al-Khandaq* (battle of the Trench). He was 'Ali's messenger to Mu'āwiya - when he was appointed as *Khalifa* to ask him to take the pledge of loyalty of the people of Shām for 'Ali. He died towards the end of Mu'āwiya's caliphate.

[5] When one prays, the Blessing of Allāh faces him. *Sutra* serves as a screen and the Blessing of Allāh remains within the limits of the screened area. Anyone who crosses beyond the screen (*Sutra*) does not confront the Blessing of Allāh and the prayer is not affected. In the absence of the screen (*Sutra*) there is no boundary for the Blessing of Allāh and a passer-by clashes with it and the concentration towards Allāh is perturbed. For this reason *Sutra* was made compulsory.

[6] It means that it only affects the fear of Allāh and humility (concentration) and not the prayer.

black dog." And it concludes: "the black dog is a devil."[1] [Reported by Muslim].

الأَسْوَدُ». الحَدِيثَ. وَفِيهِ: «الكَلْبُ الأَسْوَدُ شَيْطَانٌ». أَخْرَجَهُ مُسْلِمٌ.

Muslim also reported through Abū Huraira (رضي الله عنه) a similar *Hadīth* without the mention of *Kalb* (dog). In another narration Abū Dā'ud and An-Nasā'i reported through Ibn 'Abbās (رضي الله عنه) a similar report without its end and connected the prohibition of a woman passing in front of a praying person to the state of being in her menstruation period.

وَلَهُ عَنْ أَبِي هُرَيْرَةَ نَحْوُهُ دُونَ الكَلْبِ، وِلأَبِي دَاوُدَ وَالنَّسَائِيِّ عَنِ ابْنِ عَبَّاسٍ نَحْوُهُ دُونَ آخِرِهِ، وَقَيَّدَ المَرْأَةَ بِالحَائِضِ.

184. Narrated Abū Sa'īd Al-Khudri (رضي الله عنه): Allāh's Messenger ﷺ said, "If one of you prays towards an object separating him from the people and someone tries to pass (between him and the object) in front of him, let him turn him away but if he refuses he should fight[2] him for he is a devil." [Agreed upon]. In another narration: "for there is a Satan with him."

(١٨٤) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا صَلَّى أَحَدُكُمْ إِلَى شَيْءٍ يَسْتُرُهُ مِنَ النَّاسِ، فَأَرَادَ أَحَدٌ أَنْ يَجْتَازَ بَيْنَ يَدَيْهِ، فَلْيَدْفَعْهُ، فَإِنْ أَبَى فَلْيُقَاتِلْهُ، فَإِنَّمَا هُوَ شَيْطَانٌ». مُتَّفَقٌ عَلَيْهِ، وَفِي رِوَايَةٍ: فَإِنَّ مَعَهُ القَرِينَ.

185. Narrated Abū Huraira (رضي الله عنه): Allāh's Messenger ﷺ said, "When one of you prays, he should put something in front of him, and if he cannot find something he should set up a stick; but if he has no stick with him he should draw a line, then what passes in front of him will not harm him." [Reported by Ahmad and Ibn Mājah. And Ibn Hibbān graded it *Sahih* (authentic)...].

(١٨٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِذَا صَلَّى أَحَدُكُمْ فَلْيَجْعَلْ تِلْقَاءَ وَجْهِهِ شَيْئاً، فَإِنْ لَمْ يَجِدْ فَلْيَنْصِبْ عَصاً، فَإِنْ لَمْ يَكُنْ فَلْيَخُطَّ خَطّاً، ثُمَّ لَا يَضُرُّهُ مَنْ مَرَّ بَيْنَ يَدَيْهِ». أَخْرَجَهُ أَحْمَدُ وَابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَلَمْ يُصِبْ مَنْ زَعَمَ أَنَّهُ مُضْطَرِبٌ بَلْ هُوَ حَسَنٌ.

---

[1] In this *Hadīth* there is a proof that without *Sutra* if one of those mentioned above cross in front of a worshipper, his prayer is discontinued. But there is an agreed upon and authentic *Hadīth* which mentions that Ibn 'Abbas رضي الله عنهما, riding on a donkey, passed before the row of congregation and the Prophet ﷺ was also offering the prayer but he did not repeat his prayer nor asked the Companions رضي الله عنهم to repeat.

[2] Passing before the praying person is regarded an aversion unanimously. If a person is praying having *Sutra* before him and someone tries to pass from inside it, he should be stopped by a sign and if he insists, he should be stopped by force. Fight means to stop with force and not the actual fight. If a worshipper is praying without having a *Sutra* before him, it is his fault and not the fault of the passer-by. It also indicates that prayer is not discontinued with this small action, but it does affect the concentration.

186. Narrated Abū Sa'īd Al-Khudri ﷺ: Allāh's Messenger ﷺ said, "Nothing interrupts[1] *Salāt* (prayer), but avert as much as you can (things that cut off prayer)." [Reported by Abū Dā'ud and there is weakness in its chain].

(١٨٦) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَقْطَعُ الصَّلَاةَ شَيْءٌ، وَادْرَءُوا مَا اسْتَطَعْتُمْ». أَخْرَجَهُ أَبُو دَاوُدَ، وَفِي سَنَدِهِ ضَعْفٌ.

Chapter 5 *KHUSHŪ'*[2] (HUMILITY) IN *SALAT* (PRAYER)

٥ - بَابُ الحَثِّ عَلَى الخُشُوعِ فِي الصَّلَاةِ

187. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ forbade keeping one's hands on one's waist while praying[3]. [Agreed upon]. The wording is that of Muslim, and its meaning is to put (one's) hands on his waist.

(١٨٧) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ أَنْ يُصَلِّيَ الرَّجُلُ مُخْتَصِراً. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ، وَمَعْنَاهُ أَنْ يَجْعَلَ يَدَهُ عَلَى خَاصِرَتِهِ.

And in the narration of Al-Bukhāri narrated by 'Aisha ﷺ is: "This is a practice of the Jews."

وَفِي البُخَارِيِّ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا: «أَنَّ ذَلِكَ فِعْلُ اليَهُودِ فِي صَلَاتِهِمْ».

188. Narrated Anas ﷺ: Allāh's Messenger ﷺ said, "If supper is brought (and the prayer is ready) start with it (the food) before you pray the *Maghrib* (prayer)."[4] [Agreed upon].

(١٨٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِذَا قُدِّمَ العَشَاءُ فَابْدَءُوا بِهِ قَبْلَ أَنْ تُصَلُّوا المَغْرِبَ». مُتَّفَقٌ عَلَيْهِ.

189. Narrated Abū Dhar ﷺ: Allāh's Messenger ﷺ said, "When one of you is praying he must not remove pebbles (from his face)[5] for the mercy is facing him." [Reported by *Al-Khamsa* with a *Sahih* (authentic) chain]. And Ahmad added to the above *Hadīth*:

(١٨٩) وَعَنْ أَبِي ذَرٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا قَامَ أَحَدُكُمْ فِي الصَّلَاةِ فَلَا يَمْسَحِ الحَصَى، فَإِنَّ الرَّحْمَةَ تُوَاجِهُهُ». رَوَاهُ الْخَمْسَةُ بِإِسْنَادٍ صَحِيحٍ، وَزَادَ أَحْمَدُ: «وَاحِدَةً أَوْدَعْ». وَفِي الصَّحِيحِ عَنْ

[1] It indicates that prayer is not discontinued by the passing of somebody, but it does affect the concentration.

[2] *Khushu'* (خشوع) means calmness, comfort and concentration of the whole body and the mind towards Allāh.

[3] Placing the hands on flanks (hips) is an arrogant action whereas humility and meekness is required in prayer. The other point explained in the next *Hadīth* is that this action resembled that of the Jews, and their imitation is forbidden.

[4] If food is served then eating of food is preferable even if there is no hunger for it. The philosophy behind it is that one should stand before Allāh with complete concentration being above all worldly needs. On the other hand, it is not permitted to go for eating at the time of prayer, if the food has not been served.

[5] Removing stones from the place of prostration is prohibited when stones are small and

"(remove the pebbles) once or leave (them)." It is also reported in *As-Sahih* on the authority of Mu'aiqib[1] without mention of the reason.

مُعَيْقِيبٍ نَحْوُهُ بِغَيْرِ تَعْلِيلٍ.

190. Narrated 'Aisha ﷺ: I asked Allāh's Messenger ﷺ about looking around during prayer and he said, "It is something which the devil snatches from a person's prayer." [Reported by Al-Bukhāri].

(١٩٠) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: سَأَلْتُ رَسُولَ اللهِ ﷺ عَنِ الالتِفَاتِ فِي الصَّلَاةِ، فَقَالَ: «هُوَ اخْتِلَاسٌ يَخْتَلِسُهُ الشَّيْطَانُ مِنْ صَلَاةِ العَبْدِ». رَوَاهُ البُخَارِيُّ.

At-Tirmidhi has reported and graded as *Sahih* (authentic) the narration of Anas ﷺ: "Avoid looking around when you are engaged in prayer, for looking around is destruction. And if you must do it, do so[2] in the voluntary prayers."[3]

وَلِلتِّرمِذِيِّ وَصَحَّحَهُ -: «إِيَّاكَ وَٱلالتِفَاتَ فِي الصَّلَاةِ، فَإِنَّهُ هَلَكَةٌ، فَإِنْ كَانَ لَا بُدَّ فَفِي التَّطَوُّعِ».

191. Narrated Anas ﷺ: Allāh's Messenger ﷺ said, "When anyone of you is engaged in *Salāt* (prayer), he is holding intimate conversation with his *Rabb* so he should not spit in front of him[4], nor to his right side, but to his left side, under his foot". [Agreed upon]. A narration has: "or under his foot".

(١٩١) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا كَانَ أَحَدُكُمْ فِي الصَّلَاةِ فَإِنَّهُ يُنَاجِي رَبَّهُ فَلَا يَبْصُقَنَّ بَيْنَ يَدَيْهِ وَلَا عَنْ يَمِينِهِ، وَلَكِنْ عَنْ شِمَالِهِ تَحْتَ قَدَمِهِ». مُتَّفَقٌ عَلَيْهِ، وَفِي رِوَايَةٍ: «أَوْ تَحْتَ قَدَمِهِ».

192. Narrated (Anas) ﷺ: 'Aisha ﷺ had a *Qirām*[5] with which she had screened

(١٩٢) وَعَنْهُ قَالَ: كَانَ قِرَامٌ لِعَائِشَةَ رَضِيَ اللَّهُ

harmless. If stones are big and troublesome and hamper concentration, then there is no harm in removing them.

[1] Mu'aiqib bin Abū Fātima Ad-Dausi became a Muslim long ago in Makkah, and migrated to Abyssinia (Ethiopia) during the second *Hijra*. He witnessed Badr. He kept the Prophet's ﷺ seal, and Abū Bakr and then 'Umar put him in charge of the *Baitul-Māl*. He died during 'Uthmān's caliphate.

[2] If at all, it is necessary, could be moved in *Nawafil* (voluntary) prayers, but not in the *Fard* (obligatory) prayers, because there is less harm of this act in voluntary prayers. At the time of dire need, it is permissible as is evident from the last illness event of the noble Prophet ﷺ, when he came out of his house for prayer, Abū Bakr Siddiq, who was leading the prayer, wanted to draw back but apprehending the gesture of the Prophet ﷺ, kept on leading the prayer, and the noble Prophet ﷺ did not object Abū Bakr for this act.

[3] During the voluntary prayer also if face is moved away from *Qiblah*, then the prayer is discontinued.

[4] It is to be remembered that one should never spit in the direction of *Qiblah*, or to one's right side whether in a prayer or not.

[5] A soft piece of cloth with colours.

تَعَالَى عَنْهَا، سَتَرَتْ بِهِ جَانِبَ بَيْتِهَا، فَقَالَ لَهَا النَّبِيُّ ﷺ: «أَمِيطِي عَنَّا قِرَامَكِ هَذَا، فَإِنَّهُ لَا تَزَالُ تَصَاوِيرُهُ تَعْرِضُ لِي فِي صَلَاتِي». رَوَاهُ الْبُخَارِيُّ.

one side of her house. The Prophet ﷺ said, "Take away[1] this *Qirām* of yours, for its pictures are still displayed in front of me during my prayer." [Reported by Al-Bukhāri].

وَاتَّفَقَا عَلَى حَدِيثِهَا فِي قِصَّةِ أَنْبِجَانِيَّةِ أَبِي جَهْمٍ، وَفِيهِ: «فَإِنَّهَا أَلْهَتْنِي عَنْ صَلَاتِي».

Al-Bukhāri and Muslim have also reported a *Hadīth* narrated by her ('Aisha ﷺ) in which is mentioned the story of Abū Jahm's[2] *Ambijānia*[3] with the addition: "it (the *Khamisa*)[4] has distracted me[5] from my prayer."

(١٩٣) وَعَنْ جَابِرِ بْنِ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَيَنْتَهِيَنَّ أَقْوَامٌ يَرْفَعُونَ أَبْصَارَهُمْ إِلَى السَّمَاءِ فِي الصَّلَاةِ، أَوْ لَا تَرْجِعُ إِلَيْهِمْ». رَوَاهُ مُسْلِمٌ.

193. Narrated Jābir bin Samura ﷺ: Allāh's Messenger ﷺ said, "Those people who raise their eyes to heaven while in *Salāt* (prayer) should stop (doing so) or else their sight will not return[6] to them." [Reported by Muslim].

وَلَهُ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «لَا صَلَاةَ بِحَضْرَةِ الطَّعَامِ، وَلَا وَهُوَ يُدَافِعُهُ الأَخْبَثَانِ».

Narrated 'Aisha ﷺ in another narration of it from Muslim: I heard Allāh's Messenger ﷺ say, "No *Salāt* (prayer) can be (rightly offered) with food brought (before the worshipper) or when he is resisting the urge to relieve himself of the two filths[7] (i.e. urine

[1] It means that anything which diverts the attention should be removed from the place of prayer. If not possible, one should move away and avoid the place.

[2] He is Ibn Hudhaifa bin Ghānim Al-Qurashi Al-'Adawi. His name is 'Aamir or 'Ubaid. He became a Muslim in the year of the conquest of Makkah. He was among the *Sahāba* enjoying longevity, for he attended the building of the Ka'ba by Quraish before the advent of the Prophet ﷺ and witnessed its reconstruction by 'Abdullāh bin Az-Zubair during whose early days of caliphate he died.

[3] A plain woolen garment.

[4] A soft piece of clothe with designs and colors.

[5] It means that mosques should not be decorated with designs and ornaments, etc. as they are impediments for concentration. Imām An-Nawawi has quoted the consensus of Muslim scholars in this regard and considered it as absolute prohibition.

[6] Imām An-Nawawi has reported consensus of Muslim scholars that this prohibition is an absolute one. Ibn Hazm says that the prayer is invalidated.

[7] If someone feels a strong need of answering the call of nature, urination or passing wind, and has enough time, one should do it before going to prayer. Otherwise, prayer will be

and feces)."

194. Narrated Abū Huraira ﷺ: The Prophet ﷺ said, "Yawning is caused by the devil[1], so when one of you yawns he must repress it as much as he can." [Reported by Muslim and At-Tirmidhi. The latter added: "during *Salāt* (prayers)"].[2]

(١٩٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ. أَنَّ النَّبِيَّ ﷺ قَالَ: «التَّثَاؤُبُ مِنَ الشَّيْطَانِ، فَإِذَا تَثَاءَبَ أَحَدُكُمْ فَلْيَكْظِمْ مَا اسْتَطَاعَ». رَوَاهُ مُسْلِمٌ وَالتِّرْمِذِيُّ، وَزَادَ: «فِي الصَّلَاةِ».

Chapter 6 MOSQUES

٦ - بَابُ المَسَاجِدِ

195. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ ordered that the mosques be built in residential districts[3] and that it be cleaned and perfumed. [Reported by Ahmad, Abū Dā'ud and At-Tirmidhi. The latter considered it *Mursal* (mising link in the chain after the *Tābi'i* (student of a Companion)].

(١٩٥) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: أَمَرَ رَسُولُ اللهِ ﷺ بِبِنَاءِ المَسَاجِدِ فِي الدُّورِ، وَأَنْ تُنَظَّفَ وَتُطَيَّبَ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَ إِرْسَالَهُ.

196. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "May Allāh curse the Jews! they have turned the graves of their Prophets into mosques." [Agreed upon]. Muslim added: "and Christians."

(١٩٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «قَاتَلَ اللَّهُ اليَهُودَ، اتَّخَذُوا قُبُورَ أَنْبِيَائِهِمْ مَسَاجِدَ». مُتَّفَقٌ عَلَيْهِ، وَزَادَ مُسْلِمٌ: «وَالنَّصَارَى».

Narrated 'Aisha ﷺ in Al-Bukhāri and Muslim (that Allāh's Messenger ﷺ said), "When a pious person amongst them (the Jews and Christians) died they used to build a place of worship and prostration on his grave." In the same *Hadīth* is: "Those are the worst of creatures."[4]

وَلَهُمَا مِنْ حَدِيثِ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا: كَانُوا إِذَا مَاتَ فِيهِمُ الرَّجُلُ الصَّالِحُ بَنَوا عَلَى قَبْرِهِ مَسْجِداً. وَفِيهِ: أُولَئِكَ شِرَارُ الخَلْقِ.

---

aversive. According to some it will not be regarded a prayer at all because of lack of concentration, fear of Allāh, and humility. If time is short and need is not very urgent, one should offer the prayer rather than delay it.

[1] Yawning is a result of filled stomach and laziness. Both these things are of the things loved by Satan, so it is as though the yawning is from Satan.

[2] Suppressing a yawn, during a prayer or at any other time is *Sunnah*. During prayer, one should be more careful about yawning as it affects the concentration.

[3] So that one could pray in the vicinity of his home.

[4] "Turning graves into mosques" has two meanings. First, actions and deeds which are

197. Narrated Abū Huraira ﷺ: The Prophet ﷺ sent an expedition of horsemen who came back with a man, they then tied[1] him to one of the pillars of the mosque[2]. [Agreed upon].

(١٩٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: بَعَثَ النَّبِيُّ ﷺ خَيْلاً، فَجَاءَتْ بِرَجُلٍ، فَرَبَطُوهُ بِسَارِيَةٍ مِنْ سَوَارِ المَسْجِدِ»، الحَدِيثَ. مُتَّفَقٌ عَلَيْهِ.

198. Narrated (Abū Huraira) ﷺ: 'Umar came over Hassān[3] while reciting poetry inside the mosque and looked at him sternly, then he (Hassān) said, "I used to recite poetry inside it (the mosque)[4] in the presence of one who is more pious than you (i.e. the Prophet ﷺ)." [Agreed upon].

(١٩٨) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ عُمَرَ مَرَّ بِحَسَّانَ يُنْشِدُ فِي المَسْجِدِ، فَلَحَظَ إِلَيْهِ، فَقَالَ: قَدْ كُنْتُ أُنْشِدُ فيه، وَفِيهِ مَنْ هُوَ خَيْرٌ مِّنْكَ. مُتَّفَقٌ عَلَيْهِ.

199. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said, "Whoever hears a man crying out in the mosque about something he has lost, he should say, 'May Allāh not restore it to you[5]', for the mosques were not built for this." [Reported by Muslim].

(١٩٩) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ سَمِعَ رَجُلاً يَنْشُدُ ضَالَّةً فِي المَسْجِدِ فَلْيَقُلْ: لَا رَدَّهَا اللَّهُ عَلَيْكَ، فَإِنَّ المَسَاجِدَ لَمْ تُبْنَ لِهَذَا». رَوَاهُ مُسْلِمٌ.

200. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said, "If you see someone buying or selling inside the mosque, say: May Allāh not make your trading profitable!"[6] [Reported by An-Nasā'i

(٢٠٠) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِذَا رَأَيْتُمْ مَنْ يَبِيعُ أَوْ يَبْتَاعُ فِي المَسْجِدِ فَقُولُوا: لَا أَرْبَحَ اللَّهُ تِجَارَتَكَ». رَوَاهُ

supposed to be done before Allāh in the mosques, are performed near or upon the graves, such as prostration, bowing, sitting, or standing with folded hands as a sign of respect; and secondly, to build the mosques near the graves. Whatever the meaning may be, it is prohibited in any way.

[1] It means that temporarily a mosque can be used for detention of prisoners.

[2] This *Hadīth* shows that a polytheist can enter a mosque if there is a need for such. However, some scholars make an exception for the Sacred *Masjid* (Al-Ka'ba) in Makkah, saying that a disbeliever can not enter it, just as they cannot perform the pilgrimage.

[3] He is Hassān bin Thābit Al-Ansāri Al-Khazraji who was the poet of Allāh's Messenger ﷺ. Abū 'Ubaida said, 'Arabs have agreed that Hassān bin Thabit was the best poet among them.' He died before 40 H. during the caliphate of 'Ali. It is also said that he died in 50 H. at the age of 120 years of which he lived sixty years in the *Jāhiliya* (Ignorance) and sixty in Islam.

[4] This is a proof that good moral and elevated poetry can be recited in the mosque. Hassān bin Thābit used to recite poems of significance in response to satirical poetry of the infidels and the noble Prophet ﷺ always praised him by saying, "Gabriel helps you."

[5] This is by way of condemnation so that people should not discuss that which is not allowed in the mosques. For example, in case of the lost cattle one should not inquire about it inside the mosque, thus disturbing and interrupting the people in their concentration towards Allāh. Instead one may stand at the gate of the mosque and ask the people.

[6] It means that mosques should not be treated as markets, because it will affect the dignity

and At-Tirmidhi and the latter graded it *Hasan* (good)].[1]

النَّسَائِيُّ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ.

201. Narrated Hakim bin Hizām[2] (ﷺ): Allāh's Messenger ﷺ said, "Neither the prescribed punishments nor retaliations should be executed inside the mosque." [Reported by Ahmad and Abū Dā'ud through a weak *Sanad* (chain)].

(٢٠١) وَعَنْ حَكِيمِ بْنِ حِزَامٍ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تُقَامُ الحُدُودُ فِي المَسَاجِدِ، وَلَا يُسْتَقَادُ فِيهَا». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ بِسَنَدٍ ضَعِيفٍ.

202. Narrated 'Aisha ﷺ: On the day of *Al-Khandaq* (battle of the Trench), Sa'd[3] was injured and Allāh's Messenger ﷺ pitched a tent for him in the mosque to visit him from a close distance.[4] [Agreed upon].

(٢٠٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: أُصِيبَ سَعْدٌ يَوْمَ الخَنْدَقِ، فَضَرَبَ عَلَيْهِ رَسُولُ اللهِ ﷺ خَيْمَةً فِي المَسْجِدِ، لِيَعُودَهُ مِنْ قَرِيبٍ. مُتَّفَقٌ عَلَيْهِ.

203. Narrated ('Aisha) ﷺ: I saw Allāh's Messenger ﷺ at the door of my house screening me while I watched some Abyssinians (Ethiopians)[5] who were playing in the mosque.[6] [Agreed upon].

(٢٠٣) وَعَنْهَا قَالَتْ: رَأَيْتُ رَسُولَ اللهِ ﷺ يَسْتُرُنِي، وَأَنَا أَنْظُرُ إِلَى الحَبَشَةِ يَلْعَبُونَ فِي المَسْجِدِ، الْحَدِيثَ. مُتَّفَقٌ عَلَيْهِ.

204. Narrated ('Aisha) ﷺ : One black slave-girl had a tent in the mosque and she used to come to me and talk (with me) in my house[7] . [Agreed upon].

(٢٠٤) وَعَنْهَا رَضِيَ اللهُ عَنْهَا أَنَّ وَلِيدَةً سَوْدَاءَ كَانَ لَهَا خِبَاءٌ فِي المَسْجِدِ، فَكَانَتْ تَأْتِينِي، فَتَحَدَّثُ عِنْدِي. الحَدِيثَ. مُتَّفَقٌ عَلَيْهِ.

---

of mosque and prayers.

[1] Doing business in mosques is prohibited. Whoever trades there, will be regarded as sinful but the deal will be considered as valid.

[2] He is Abū Khālid Al-Qurashi Al-Asadi, the son of the brother of Khadija 'Mother of the Believers.' He was among the noble men of Quraish and was born in the Ka'ba 13 years before the incident of the elephant. He became a Muslim during the year of the conquest of Makkah and died at Al-Madīnah in 54 H. at the age of 120 years.

[3] Sa'd bin Mu'ādh was the leader of Al-Aus and one of the greatest *Sahāba*. He became a Muslim between the first and second *'Aqaba,* and Banu 'Abdul-Ashhal became Muslims due to his Islamic faith. He was bold, noble and obeyed by his people. He was hit by an arrow on his arm during the battle of *Khandaq* (battle of Trench) and after the battle of Banu Quraiza, in Dhul Hijja 5 H., he died of that injury.

[4] This *Hadīth* is a proof that erecting a tent in the mosque, sleeping there and residing of a sick or wounded person is permissible.

[5] It means that woman can look at a group of men without singling out any individual.

[6] The games, helpful in *Jihād* (fighting in Allāh's cause) are permissible to be played in the mosque, as the Abyssinian were playing war games.

[7] The complete *Hadīth* is narrated in *Sahih Al-Bukhāri*. The object of giving it here is to show that a woman also can stay in the mosque and that erecting a tent is also permissible.

205. Narrated Anas ﷺ: Allāh's Messenger ﷺ said, "Spitting in the mosque is a sin and its expiation is burying it." [Agreed upon].

(٢٠٥) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «البُصَاقُ فِي المَسْجِدِ خَطِيئَةٌ، وَكَفَّارَتُهَا دَفْنُهَا». مُتَّفَقٌ عَلَيْهِ.

206. Narrated (Anas) ﷺ: Allāh's Messenger ﷺ said, "The Hour (Judgement Day) will not come until people boast (to each other) with (the construction and decoration of) mosques.[1] " [Reported by *Al-Khamsa* except At-Tirmidhi, and Ibn Hibbān graded it *Sahih* (authentic).]

(٢٠٦) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَقُومُ السَّاعَةُ حَتَّى يَتَبَاهَى النَّاسُ فِي الْمَسَاجِدِ». أَخْرَجَهُ الخَمْسَةُ إِلَّا التِّرْمِذِيَّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

207. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "I was not commanded to build beautified[2] mosques". [Reported by Abū Dā'ud, and Ibn Hibbān graded it *Sahih* (authentic)].

(٢٠٧) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَا أُمِرْتُ بِتَشْيِيدِ المَسَاجِدِ». أَخْرَجَهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

208. Narrated Anas ﷺ: Allāh's Messenger ﷺ said, "The rewards of my *Ummah* (followers) were shown to me, even a peck of dust a man takes out of the mosque." [Reported by Abū Dā'ud and At-Tirmidhi. The latter graded it *Gharib* (having a single narrator), and Ibn Khuzaima graded it *Sahih* (authentic)].

(٢٠٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «عُرِضَتْ عَلَيَّ أُجُورُ أُمَّتِي، حَتَّى القَذَاةُ يُخْرِجُهَا الرَّجُلُ مِنَ المَسْجِدِ». رَوَاهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَاسْتَغْرَبَهُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

209. Narrated Abū Qatāda ﷺ: Allāh's Messenger ﷺ said, "When one of you enters the mosque, he must not sit until he prays two *Rak'a.*" [3] [Agreed upon]

(٢٠٩) وَعَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا دَخَلَ أَحَدُكُمُ المَسْجِدَ فَلَا يَجْلِسْ حَتَّى يُصَلِّيَ رَكْعَتَيْنِ». مُتَّفَقٌ عَلَيْهِ.

[1] It means that they will proudly compete with each other and will boast about the embellishment and beautification of their mosques. It may also mean that they will boast about their superiority and eminence in mosques whereas these are the places of showing humility and humbleness before Allāh.

[2] This *Hadīth* indicates that being a Jewish custom, making of designs and ornaments in mosques is forbidden.

[3] This is evident that these two *Rak'at* are *Tahiyatal-Masjid* (salutation to the mosque). Some of the religious scholars consider these as compulsory whereas most of others regard them only desirable. Looking at the evident meanings of the *Hadīth* some scholars have allowed to offer even at the prohibited (odious) time, whereas other scholars forbid in these times.

Chapter 7 THE DESCRIPTION OF THE *SALAT* (PRAYER)

٧ - بَابُ صِفَةِ الصَّلَاةِ

210. Narrated Abū Huraira ﷺ: The Prophet ﷺ said, "When you get up to pray, perform the ablution perfectly, then face the *Qiblah* and say: '*Allāhu Akbar*' (Allāh is the Most Great). Then recite a convenient portion of the Qur'ān;[1] then bow and remain calmly in that position for a moment, then rise up and stand erect; then prostrate and remain calmly in that position for a moment, then rise up and sit calmly[2], then prostrate and remain calmly in that position for a moment; then do that throughout your prayer." [Reported by *As-Sab'a* and the wording is that of Al-Bukhāri].

(٢١٠) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: إِذَا قُمْتَ إِلَى الصَّلَاةِ فَأَسْبِغِ الْوُضُوءَ، ثُمَّ اسْتَقْبِلِ الْقِبْلَةَ فَكَبِّرْ، ثُمَّ اقْرَأْ مَا تَيَسَّرَ مَعَكَ مِنَ الْقُرْآنِ، ثُمَّ ارْكَعْ حَتَّى تَطْمَئِنَّ رَاكِعاً، ثُمَّ ارْفَعْ حَتَّى تَعْتَدِلَ قَائِماً، ثُمَّ اسْجُدْ حَتَّى تَطْمَئِنَّ سَاجِداً، ثُمَّ ارْفَعْ حَتَّى تَطْمَئِنَّ جَالِساً، ثُمَّ اسْجُدْ حَتَّى تَطْمَئِنَّ سَاجِداً، ثُمَّ افْعَلْ ذَلِكَ فِي صَلَاتِكَ كُلِّهَا». أَخْرَجَهُ السَّبْعَةُ، وَاللَّفْظُ لِلْبُخَارِيِّ.

The narration of Ibn Mājah through a chain of Muslim has: "then rise up and stand erect calmly." And in the narration of Ibn Hibbān and Ahmad the hadith of Rifā'a bin Rāfi' bin Mālik[3] is similar to the above. And Ahmad has: "keep your back straight till the bones return (to their positions)."

وَلِابْنِ مَاجَهْ بِإِسْنَادِ مُسْلِمٍ: «حَتَّى تَطْمَئِنَّ قَائِماً» وَمِثْلُهُ فِي حَدِيثِ رِفَاعَةَ بْنِ رَافِعِ بْنِ مَالِكٍ عِنْدَ أَحْمَدَ وَابْنِ حِبَّانَ «حَتَّى تَطْمَئِنَّ قَائِماً». وَلِأَحْمَدَ: «فَأَقِمْ صُلْبَكَ حَتَّى تَرْجِعَ الْعِظَامُ».

And in the narration of An-Nasā'i and Abū Dā'ud from the *Hadith* of Rifā'a bin Rāfi': "The *Salāt* (prayer) of one of you will not be complete until he performs *Wudu'* (ablution) properly as

وَلِلنَّسَائِيِّ وَأَبِي دَاوُدَ مِنْ حَدِيثِ رِفَاعَةَ بْنِ رَافِعٍ: «إِنَّهَا لَنْ تَتِمَّ صَلَاةُ أَحَدِكُمْ حَتَّى يُسْبِغَ الْوُضُوءَ كَمَا أَمَرَهُ اللَّهُ تَعَالَى، ثُمَّ يُكَبِّرَ اللَّهَ

[1] It is obvious that the recitation of the noble Qur'ān is compulsory. There is a *Hadīth* which reads (ثم اقرأ بأم القرآن). "Then read Umm al-Qur'an". It is evident that it means *Sūrat Al-Fātiha*.

[2] Those who are careless in the performance of bowing, prostrations, sitting, etc. in their prayer should ponder over this *Hadīth;* careless and hasty actions are inaccurate. These careless actions destroy their prayers. The noble Prophet ﷺ named this kind of prayer as the "prayer of hypocrite" and the performers as "thieves of the worst type."

[3] He is nicknamed Abū Mu'ādh and was Az-Zurqi Al-Ansāri Al-Madani, – a great *Sahābi* who attended *Al-'Aqaba* with his father who was the first *Ansāri* to become a Muslim. Rifā'a participated in Badr and all the latter battles and was with 'Ali during the battles of *Al-Jamal* and *Siffin*. He died during the beginning of Mu'āwiya's caliphate in 41 H.

Allāh commanded him, then he says *Allāhu Akbar* and *Alhamdu lillāh* and praises Him." It is also mentioned in the same *Hadīth*, "If you know any portion of the Qur'ān, read it or else say: *Alhamdu lillāh*, *Allāhu Akbar* and *La ilāha ill-Allāh*." And Abū Dā'ud has: "Then read the *Ummul-Qur'ān*[1] (i.e. *Sūrat Al-Fātiha*) and whatever Allāh wishes". Ibn Hibbān also has: "and then (read) whatever you wish."

تَعَالَى، وَيَحْمَدَهُ، وَيُثْنِيَ عَلَيْهِ». وفيها: «فَإِنْ كَانَ مَعَكَ قُرْآنٌ فَاقْرَأْ، وَإِلَّا فَاحْمَدِ اللَّهَ، وَكَبِّرْهُ، وَهَلِّلْهُ». وَلأَبِي دَاوُدَ: «ثُمَّ اقْرَأْ بِأُمِّ الْقُرْآنِ، وَبِمَا شَاءَ اللَّهُ» وَلابْنِ حِبَّانَ: «ثُمَّ بِمَا شِئْتَ».

211. Narrated Abū Humaid As-Sā'idi[2] ؓ: "I saw Allāh's Messenger[3] ﷺ when he uttered the *Takbir*, he placed his hands parallel to his shoulders;[4] and when he bowed down, he rested his hands on his knees, then bent his back. When he raised his head up, he stood erect until the bones of his spine became straight. When he prostrated, he placed his arms such that they were neither spread out nor drawn in, and the tips of his toes were facing the *Qiblah*; when he sat up, at the end of two *Rak'a*, he sat on his left foot and put erect the right one; and when he sat up after the last *Rak'a* he put forward the left foot, put erect the other one and sat on his buttock." [Reported by Al-Bukhāri].

(٢١١) وَعَنْ أَبِي حُمَيْدٍ السَّاعِدِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: رَأَيْتُ رَسُولَ اللهِ ﷺ إِذَا كَبَّرَ جَعَلَ يَدَيْهِ حَذْوَ مَنْكِبَيْهِ، وَإِذَا رَكَعَ أَمْكَنَ يَدَيْهِ مِنْ رُكْبَتَيْهِ ثُمَّ هَصَرَ ظَهْرَهُ، فَإِذَا رَفَعَ رَأْسَهُ اسْتَوَى، حَتَّى يَعُودَ كُلُّ فَقَارٍ مَكَانَهُ، فَإِذَا سَجَدَ وَضَعَ يَدَيْهِ غَيْرَ مُفْتَرِشٍ وَلَا قَابِضِهِمَا، وَاسْتَقْبَلَ بِأَطْرَافِ أَصَابِعِ رِجْلَيْهِ الْقِبْلَةَ، وَإِذَا جَلَسَ فِي الرَّكْعَتَيْنِ جَلَسَ عَلَى رِجْلِهِ الْيُسْرَى، وَنَصَبَ الْيُمْنَى، وَإِذَا جَلَسَ فِي الرَّكْعَةِ الأَخِيرَةِ قَدَّمَ رِجْلَهُ الْيُسْرَى، وَنَصَبَ الأُخْرَى، وَقَعَدَ عَلَى مَقْعَدَتِهِ. أَخْرَجَهُ الْبُخَارِيُّ.

212. Narrated 'Ali bin Abi Tālib ؓ: Whenever Allāh's Messenger ﷺ stood

(٢١٢) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ

[1] *Ummul-Qur'ān* (أم القرآن) is a name used for *Sūrat Al-Fātiha*. This *Hadīth* indicates that the recitation of *Al-Fātiha* and some other chapter or Verses of the noble Qur'ān is essential. According to some religious scholars, after the recitation of *Al-Fātiha* a little more recitation is essential, but to others it is only preferable or desired. For more detail see books of *Ahadīth*.

[2] Abū Humaid is called 'Amr or Mundhir bin Sa'd bin Al-Mundhir or Mālik Al-Ansāri Al-Khazraji Al-Madani. He descended from Sā'ida who is the father of Al-Khazraj. He participated in Uhud and the battles that followed and died either towards the end of Mu'āwiya's caliphate or at the beginning of Yazid's rule in 61 H.

[3] The Muslim *Ummah* ought to offer their prayers like the prayer of the noble Prophet ﷺ. He used to pray with peace of mind and perfection. Hasty performance is disapproved.

[4] In this *Hadīth*, *Raf' yadain* (raising of hands) is mentioned up to the shoulders. In the narration of Wā'il bin Hujr it is mentioned up to the ears.

تَعَالَى عَنْهُ، عَنْ رَسُولِ اللهِ ﷺ، أَنَّهُ كَانَ إِذَا قَامَ إِلَى الصَّلَاةِ، قَالَ: «وَجَّهْتُ وَجْهِيَ لِلَّذِي فَطَرَ السَّمَاوَاتِ والأَرْضَ - إِلَى قَوْلِهِ - مِنَ المُسْلِمِينَ. اللَّهُمَّ أَنْتَ المَلِكُ، لَا إِلَه إِلَّا أَنْتَ، أَنْتَ رَبِّي وَأَنَا عَبْدُكَ، إِلى آخره». رَوَاهُ مُسْلِمٌ، وَفِي رِوَايَةٍ لَهُ: أَنَّ ذَلِكَ فِي صَلَاةِ اللَّيْلِ.

for *Salāt* (prayer), he used to say:[1] "I have turned my face (as a monotheist) towards Him who created the heavens and the earth and I am not from the polytheists. My prayer and my devotion, my life and my death belong to Allāh, the Lord of the universe, Who has no partner. That is what I have been commanded, and I am a Muslim. O Allāh, You are the King. There is nothing which deserves to be worshipped but You. You are my ***Rabb*** (Lord) and I am Your slave.[2] I have wronged myself, but I acknowledge my sin, so forgive me all my sins, You alone can forgive sins; and guide me to the best qualities, You alone can guide to the best of them: and turn me from evil ones, You alone can turn from evil qualities. I come to serve and please You. All good is in Your Hands and evil does not pertain to You. I seek refuge in You and turn to You, You are the Blessed and the Exalted. I ask Your forgiveness and turn to You in repentance." [Reported by Muslim]. And in another narration of Muslim: "he used to say that in the night prayer..."

(٢١٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا كَبَّرَ لِلصَّلَاةِ سَكَتَ هُنَيْهَةً قَبْلَ أَنْ يَقْرَأَ، فَسَأَلْتُهُ فَقَالَ: أَقُولُ: «اللَّهُمَّ بَاعِدْ بَيْنِي وَبَيْنَ خَطَايَايَ، كَمَا بَاعَدْتَ بَيْنَ المَشْرِقِ وَالمَغْرِبِ، اللَّهُمَّ نَقِّنِي مِنْ خَطَايَايَ، كَمَا يُنَقَّى الثَّوْبُ الأَبْيَضُ مِنَ الدَّنَسِ، اللَّهُمَّ اغْسِلْنِي مِنْ خَطَايَايَ بِالمَاءِ

213. Narrated Abū Huraira ؓ: Allāh's Messenger ﷺ used to keep silent – between the opening ***Takbir*** of the prayer and the recitation of the Qur'ān – for a short while. Then, I asked him (about that) and he replied, "I say, 'O Allāh! Keep me apart from my sins (faults) as you have kept apart the east and west. O Allāh clean me from my sins as a white garment is cleaned from

[1] In the end of this ***Hadīth*** it is mentioned that the noble Prophet ﷺ used to recite this supplication in ***Tahajjud*** (تهجد) a prayer offered after midnight). The author in his book ***Talkhis*** has reported from Imām Shāfi'i and Ibn Khuzaima that the noble Prophet ﷺ recited it in obligatory prayers. Possibility of recitation of this supplication is there in both the prayers, in the narration of 'Ali رضي الله عنه.

[2] In these hallowed words, a Muslim is instructed to ask forgiveness from Allāh for his sins, known and unknown, even though he may be the most obedient and pious.

dirt. O Allāh wash me of my sins with water, snow and hail." [Agreed upon].

وَالثَّلْجِ وَالبَرَدِ». مُتَّفَقٌ عَلَيْهِ.

214. Narrated 'Umar ﷺ: He (ﷺ) used to say, "How perfect You are O Allāh, and Praise is for You, Blessed is Your Name and Exalted is Your Majesty and there is nothing which deserves to be worshipped besides You." [Reported by **Muslim** with a ***Munqati'*** (broken) chain. And in the version of Ad-Dāraqutni, it is ***Mawsūl*** (unbroken chain), and it is ***Mawqūf*** (saying of a companion ('Umar)].

(٢١٤) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ كَانَ يَقُولُ: «سُبْحَانَكَ اللَّهُمَّ، وَبِحَمْدِكَ، وَتَبَارَكَ اسْمُكَ، وَتَعَالَى جَدُّكَ، وَلَا إِلَهَ غَيْرُكَ». رَوَاهُ مُسْلِمٌ بِسَنَدٍ مُنْقَطِعٍ، وَالدَّارَقُطْنِيُّ مَوْصُولاً، وَهُوَ مَوْقُوفٌ.

Abū Sa'īd Al-Khudri ﷺ: narrated a similar report *Marfu'* (reaching back to the Prophet) collected by *al-Khamsa,* containing the words: He (ﷺ) used to say after the (opening) ***Takbir*** (for prayer), "I seek refuge in Allāh, the All-Hearing and the All-Knowing from the accursed devil, from his madness or evil suggestion (*Hamz*), from his puffing up (***Nafkh***), and from his witchcraft (*Nafth*)."

وَنَحْوُهُ عَنْ أَبِي سَعِيدٍ الخُدْرِيِّ مَرْفُوعاً عِنْدَ الخَمْسَةِ، وَفِيهِ: وَكَانَ يَقُولُ بَعْدَ التَّكْبِيرِ: «أَعُوذُ بِاللهِ السَّمِيعِ العَلِيمِ مِنَ الشَّيْطَانِ الرَّجِيمِ مِنْ هَمْزِهِ، وَنَفْخِهِ، وَنَفْثِهِ».

215. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ used to begin the *Salāt* (prayer) with *Takbir (Allāhu Akbar* – Allāh is the Most Great) and the recitation with *Alhamdu lillāhi Rabbil-'ālamin* (praise is to Allāh, the ***Rabb*** of the universe)."[1] And when he bowed down, he neither kept his head up nor bent it down, but kept it between that (two positions). When he raised his head from the bowing position, he did not prostrate till he had stood erect; and when he raised his head after a prostration, he did not prostrate again till he had sat up. And at the end of every two *Rak'a* he said the *Tahiyya,* and he used to sit on his left foot and position the right one vertically, and he

(٢١٥) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَسْتَفْتِحُ الصَّلَاةَ بِالتَّكْبِيرِ، وَالقِرَاءَةَ بِـ«الحَمْدُ لِلَّهِ رَبِّ العَالَمِينَ، وَكَانَ إِذَا رَكَعَ لَمْ يُشْخِصْ رَأْسَهُ وَلَمْ يُصَوِّبْهُ، وَلٰكِنْ بَيْنَ ذَلِكَ؛ وَكَانَ إِذَا رَفَعَ رَأْسَهُ مِنَ الرُّكُوعِ لَمْ يَسْجُدْ حَتَّى يَسْتَوِيَ قَائِماً، وَإِذَا رَفَعَ رَأْسَهُ مِنَ السُّجُودِ لَمْ يَسْجُدْ حَتَّى يَسْتَوِيَ جَالِساً، وَكَانَ يَقُولُ فِي كُلِّ رَكْعَتَيْنِ التَّحِيَّةَ، وَكَانَ يَفْرِشُ رِجْلَهُ اليُسْرَى، وَيَنْصِبُ اليُمْنَى، وَكَانَ يَنْهَى عَنْ عُقْبَةِ الشَّيْطَانِ، وَيَنْهَى أَنْ يَفْتَرِشَ الرَّجُلُ ذِرَاعَيْهِ افْتِرَاشَ السَّبُعِ، وَكَانَ يَخْتِمُ الصَّلَاةَ بِالتَّسْلِيمِ. أَخْرَجَهُ مُسْلِمٌ، وَلَهُ

[1] *Sūrat Al-Fātiha.*

prohibited the devil's way of sitting[1] on the buttocks. He forbade people to spread out their arms like a wild beast. And he used to finish the prayer with the *Taslim* (i.e. saying *As-Salāmu 'alaikum*) [Reported by Muslim and it has an *'illa* (defect)].

عِلَّةٌ .

216. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ used to raise his hands parallel to his shoulders[2] when he started the prayer (by saying *Allāhu Akbar*), when he uttered the *Takbir* to bow and when he raised his head from the *Rukū'* (bowing posture). [Agreed upon].

(٢١٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ كَانَ يَرْفَعُ يَدَيْهِ حَذْوَ مَنْكِبَيْهِ إِذَا افْتَتَحَ الصَّلَاةَ، وَإِذَا كَبَّرَ لِلرُّكُوعِ، وَإِذَا رَفَعَ رَأْسَهُ مِنَ الرُّكُوعِ. مُتَّفَقٌ عَلَيْهِ.

Abū Dā'ud reported a *Hadīth* narrated by Abū Humaid (ﷺ) to the effect that he (Allāh's Messenger ﷺ) used to raise his hands and bring them parallel to his shoulders, and then utter the *Takbir.*

وَفِي حَدِيثِ أَبِي حُمَيْدٍ عِنْدَ أَبِي دَاوُدَ يَرْفَعُ يَدَيْهِ حَتَّى يُحَاذِيَ بِهِمَا مَنْكِبَيْهِ، ثُمَّ يُكَبِّرُ.

Muslim has a *Hadīth* narrated by Mālik bin Huwairith ﷺ similar to the *Hadīth* narrated by Ibn 'Umar (ﷺ). But he (Mālik bin Huwairith) mentioned: "He (the Prophet ﷺ) raised his hands parallel to the end of his ears."

وَلِمُسْلِمٍ عَنْ مَالِكِ بْنِ الْحُوَيْرِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ. نَحْوُ حَدِيثِ ابْنِ عُمَرَ، لَكِنْ قَالَ: حَتَّى يُحَاذِيَ بِهِمَا فُرُوعَ أُذُنَيْهِ.

217. Narrated Wā'il bin Hujr[3] ﷺ: I

(٢١٧) وَعَنْ وَائِلِ بْنِ حُجْرٍ رَضِيَ اللَّهُ تَعَالَى

[1] *Uqbatish-Shaytan* (the devil's way of sitting) is to put the buttocks on the ground while propping up the calves and thighs (and knees), with the hands on ground on both sides. *Iftirāsh as-Sabu'i* (spreading the arms like a wild beast) is to stretch the forearms forward, laying them flat on the ground, while in *Sajdah* (prostration).

[2] This narration of 'Abdullāh bin 'Umar رضي الله عنهما is clear enough to prove that at the start of a prayer, at the time of bowing and at rising from bowing, the raising of hands up to the shoulders is *Sunnah*. The words كان يرفع "he used to raise his hands" indicate that it was his regular practice. It proves that raising of hands was not cancelled or given up. All the *Ahadīth* against the 'raising of hands' are *Da'if* (weak) or *Maudū'* (forged). Among the weak *Ahadīth,* weaknesses of some are unanimously agreed and some are controversial. From all of them, the narration of 'Abdullāh bin Mas'ūd رضي الله عنه is regarded as better. Imām Bukhāri quoted his teacher 'Ali bin al-Madini's legal opinion on the basis of 'Abdullah bin 'Umar's narration that it becomes essential for all Muslims to raise hands. The controversy of this issue is too lengthy to be discussed here.

[3] Abū Hunaida or Abū Hinda, Wā'il bin Hujr was a great *Sahābi* and his father was one of the kings of Hadramout. He visited the Prophet ﷺ who spread out his upper cloth for him to sit on and asked blessings for him and his children. He then appointed him incharge of the Aqyāl of Hadramout. He settled at Kufa and died during Mu'āwiya's caliphate.

prayed with the Prophet ﷺ and he put his right hand on his left (and then placed them) on his chest.[1] [Reported by Ibn Khuzaima].

عَنْهُ قَالَ: صَلَّيْتُ مَعَ النَّبِيِّ ﷺ، فَوَضَعَ يَدَهُ الْيُمْنَى عَلَى يَدِهِ الْيُسْرَى عَلَى صَدْرِهِ. أَخْرَجَهُ ابْنُ خُزَيْمَةَ.

218. Narrated 'Ubāda bin As-Sāmit[2] ؓ: Allāh's Messenger ﷺ said, "There is no *Salāt* (prayer) for him who does not recite *Ummul-Qur'ān*[3] (*Sūrat Al-Fātiha*)". [Agreed upon].

(٢١٨) وَعَنْ عُبَادَةَ بْنِ الصَّامِتِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا صَلَاةَ لِمَنْ لَمْ يَقْرَأْ بِأُمِّ الْقُرْآنِ». مُتَّفَقٌ عَلَيْهِ.

In the narration of Ibn Hibbān and Ad-Dāraqutni is mentioned: "The *Salāt* (prayer) is not complete if one does not recite (*Sūrat) Fātiha al-Kitab*."

وَفِي رِوَايَةٍ لِابْنِ حِبَّانَ وَالدَّارَقُطْنِيِّ: «لَا تُجْزِىءُ صَلَاةٌ لَا يُقْرَأُ فِيهَا بِفَاتِحَةِ الْكِتَابِ».

And in another narration of Ahmad, Abū Dā'ud, At-Tirmidhi, and Ibn Hibbān is: "Perhaps you recite behind your *Imām*?" We replied, "Yes." He (the Prophet ﷺ) said, "Do not do so

وَفِي أُخْرَى لِأَحْمَدَ وَأَبِي دَاوُدَ وَالتِّرْمِذِيِّ وَابْنِ حِبَّانَ: «لَعَلَّكُمْ تَقْرَءُونَ خَلْفَ إِمَامِكُمْ؟» قُلْنَا: نَعَمْ، قَالَ: «لَا تَفْعَلُوا إِلَّا بِفَاتِحَةِ

[1] This *Hadīth* makes clear two things. First, folding of hands during prayer is *Sunnah* and not the opposite. Some people attribute it to 'Ali رضي الله عنه, but it is not correct. Secondly, hands are to be folded on chest, not under the navel, as some people do. The narration on the basis of which they argue is also incorrect.

[2] He was one of *Al-Ansār* group leaders to the first and second *'Aqaba* agreements. He also attended Badr and the other battles. 'Umar sent him to Shām as a *Qādi* and a teacher. So he settled at Hims then moved to Palestine and died there at Ramla or Bait-ul-Maqdis in 34 H. at the age of 72 years.

[3] The above mentioned *Hadīth* is a clear proof that without reciting *Sūrat Al-Fātiha*, prayer is not valid. The companions of the noble Prophet ﷺ and the followers of the Companions and most of the scholars believed in this practice. In the *Hadīth* known as (مسيء الصلاة) the words are: اقرأ بأم الكتاب. The noble Prophet ﷺ ordered to pray with the recitation of *Al-Fatiha*, in every *Rak'at*. The *Imām* (leader) and *Maqtadi* (follower) both have to recite *Al-Fātiha*. No one is an exception, and similarly in every prayer *Sirran* (سرا – secret, silent) or *Jehran* (جهرا - loud voice), it is necessary to recite *Al-Fātiha*. Muslim has narrated a *Hadīth* from Abū Huraira رضي الله عنه, in which he was asked about the recitation of *Al-Fātiha*, if the prayer is being offered behind the *Imām*. Abu Huraira answered that it should be recited secretly (in low voice). Tirmidhi, Abū Dā'ud, and Nasā'i have reported a *Hadīth* from 'Ubāda رضي الله عنه: The noble Prophet ﷺ asked, "Do you recite anything behind the *Imām*?" Companions رضي الله عنهم answered in positive then the noble Prophet ﷺ told them to recite *Al-Fātiha* only and nothing else, because without the recitation of *Al-Fātiha*, prayer is not valid. There are many other *Ahadīth* which prove that recitation of *Al-Fātiha* is essential behind the *Imām* also. As regards the *Hadīth*, which mentions that the recitation of the *Imām* is enough for the followers, it is *Da'if* (weak). Among those who admit this view (recitation of *Fātiha*), some are of the opinion that *Al-Fātiha* should be recited in between the pauses of the recitation of the *Imām*, and others say that it should be recited at the completion of *Al-Fatiha* by the *Imām*.

except when it is (*Sūrat*) *Fātiha al-Kitab,* for the *Salāt* (prayer) of the one who does not recite it, is not accepted."

الكِتَابِ ، فَإِنَّهُ لَا صَلَاةَ لِمَنْ لَّمْ يَقْرَأْ بِهَا».

219. Narrated Anas ﷺ: "The Prophet ﷺ, Abū Bakr and 'Umar used to begin the *Salāt* (prayer) with *Al-hamdu lillāhi Rabbil-'ālamin.*" [Agreed upon].

(٢١٩) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ وَأَبَا بَكْرٍ وَعُمَرَ كَانُوا يَفْتَتِحُونَ الصَّلَاةَ بِـ«الحَمْدُ لِلَّهِ رَبِّ العَالَمِينَ». مُتَّفَقٌ عَلَيْهِ.

And Muslim added: "They would not recite *Bismillāhir-Rahmānir-Rahim,* neither in the beginning of the recitation nor at the end[1] of it."

زَادَ مُسْلِمٌ: لَا يَذْكُرُونَ «بِسْمِ اللهِ الرَّحْمٰنِ الرَّحِيمِ» فِي أَوَّلِ قِرَاءَةٍ وَلَا فِي آخِرِهَا.

In another narration from Ahmad, An-Nasā'i and Ibn Khuzaima: "They never used to recite *Bismillahir-Rahmānir-Rahim* aloud."

وَفِي رِوَايَةٍ لِأَحْمَدَ وَالنَّسَائِيِّ وَابْنِ خُزَيْمَةَ: «لَا يَجْهَرُونَ بِبِسْمِ اللهِ الرَّحْمَنِ الرَّحِيمِ».

And in another report from Ibn Khuzaima: "They used to recite *Bismillahir-Rahmānir-Rahim* silently."[2] The negation (of recitation of the *Bismillah*) in the report of Muslim can be understood in light of this report (i.e. it was recited silently), as opposed to those who declared Muslim's report as being defective.

وَفِي أُخْرَى لِابْنِ خُزَيْمَةَ: «كَانُوا يُسِرُّونَ». وَعَلَى هَذَا يُحْمَلُ النَّفْيُ فِي رِوَايَةِ مُسْلِمٍ، خِلَافاً لِمَنْ أَعَلَّهَا.

220. Narrated Nu'aim Mujmir[3] (ﷺ): "I prayed behind Abū Huraira ﷺ and he recited *Bismillahir-Rahmānir-Rahim*, and then recited *Umm-ul-Qur'ān* (*Al-Fātiha*) and when he reached *walad-dāllin,* he said *Amin*[4] ; and then said *Allāhu Akbar,* when he

(٢٢٠) وَعَنْ نُعَيْمٍ المُجْمِرِ قَالَ: صَلَّيْتُ وَرَاءَ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فَقَرَأَ بِسْمِ اللهِ الرَّحْمَنِ الرَّحِيمِ، ثُمَّ قَرَأَ بِأُمِّ القُرْآنِ، حَتَّى إِذَا بَلَغَ «وَلَا الضَّالِّينَ» قَالَ: آمِينَ. وَيَقُولُ كُلَّمَا سَجَدَ، وَإِذَا قَامَ مِنَ الجُلُوسِ: اللَّهُ أَكْبَرُ، ثُمَّ

[1] It means that they did not recite it aloud but did it silently as mentioned in the next *Hadith*.

[2] One can do either way, it is correct.

[3] He is Abū 'Abdullāh Nu'aim bin 'Abdullāh Al-Mujmir, manumitted slave of 'Umar bin Al-Khattab. He used to burn scents at the Prophet's Mosque every Friday at mid-day, and was thus nicknamed Al-Mujmir. He was a *Tābi'i* and was verified as reliable by Abū Hātim, Ibn Ma'in, Ibn Sa'd and An-Nasā'i.

[4] After the recitation of *Sūrat Al-Fātiha* saying *Amīn* is *Sunnah.* Whether one is *Imām* or follower, everyone should say *Amīn.* (*Amīn* means: O Allah accept this invocation).

prostrated and when he stood up from his sitting position. And when he uttered the *Taslim* (i.e. *As-Salāmu 'Alaikum*), he said, "I swear by the One (i.e. Allāh) in Whose Hand my soul is, my *Salāt* (prayer) resembles most that of Allāh's Messenger ﷺ than that of anyone among you." [Reported by An-Nasā'i and Ibn Khuzaima].

يَقُولُ إِذَا سَلَّمَ: وَالَّذِي نَفْسِي بِيَدِهِ إِنِّي لأَشْبَهُكُمْ صَلَاةً بِرَسُولِ اللهِ ﷺ. رَوَاهُ النَّسَائِيُّ وَابْنُ خُزَيْمَةَ.

221. Narrated Abū Huraira ؓ: Allāh's Messenger ﷺ said, "Whenever you recite *Sūrat Al-Fātiha*, recite *Bismillahir-Rahmānir-Rahim*, for it is one of its *Ayāt* (Verses)." [Reported by Ad-Dāraqutni who verified it as *Mawqūf* (the saying of Abu Huraira ؓ].

(٢٢١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قال رَسُولُ اللهِ ﷺ: «إِذَا قَرَأْتُمُ الفَاتِحَةَ فَاقْرَءوا بِسْمِ اللهِ الرَّحْمَنِ الرَّحِيمِ، فَإِنَّهَا إِحْدَى آيَاتِهَا». رَوَاهُ الدَّارَقُطْنِيُّ وَصَوَّبَ وَقْفَهُ.

222. Narrated (Abū Huraira) ؓ: When Allāh's Messenger ﷺ completed the recitation of *Sūrat Al-Fātiha*, he raised his voice and said *Amin*[1]. [Reported by Ad-Dāraqutni who graded it *Hasan* (good) and Al-Hākim who graded it *Sahih* (authentic)]. The narrations of Abū Dā'ud and At-Tirmidhi from the *Hadith* of Wā'il bin Hujr (ؓ) are similar to this one.

(٢٢٢) وَعَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا فَرَغَ مِنْ قِرَاءَةِ أُمِّ القُرْآنِ، رَفَعَ صَوْتَهُ وَقَالَ: آمِينَ. رَوَاهُ الدَّارَقُطْنِيُّ وَحَسَّنَهُ، وَالحَاكِمُ وَصَحَّحَهُ. وِلأَبِي دَاوُدَ وَالتِّرْمِذِيِّ مِنْ حَدِيثِ وَائِلِ بْنِ حُجْرٍ نَحْوُهُ.

223. Narrated 'Abdullāh bin Abi Aufa[2] ؓ: A man came to the Prophet ﷺ and said, "I cannot memorize anything from the Qur'ān, so teach me something which can be a substitute for me." He

(٢٢٣) وَعَنْ عَبْدِ اللهِ بْنِ أَبِي أَوْفَى رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: إِنِّي لَا أَسْتَطِيعُ أَنْ آخُذَ مِنَ القُرْآنِ شَيْئاً، فَعَلِّمْنِي مَا يُجْزِئُنِي مِنْهُ، فَقَالَ: «قُلْ:

[1] Should *Amīn* be pronounced aloud or secretly? There is a difference of opinion on this issue. *Hanafi* say it secretly and *Shafi'i* and *Ahl-Hadīth* say it in a loud voice. *Loud voice* (جهر) means that the person beside you could hear it. Saying of *Amīn* in a loud voice is supported by many other *Ahadīth*. The noble Prophet ﷺ said *Amīn* in a loud voice and prolonged his voice. Tirmidhi graded this *Hadīth* as *Hasan* (fair) and Ad-Dāraqutni as *Sahih* (sound). Moulana Abdul-Hai Lucknowi stated that impartiality demands one to accept that saying *Amīn* in a loud voice is more accurate. As regards the saying of *Amīn* in a low voice, Imām Tirmidhi has narrated a *Hadīth* in which the noble Prophet ﷺ pronounced *Amīn*, and kept his voice low. Some *Hanafi* argue on the basis of this *Hadīth* although Imām Tirmidhi himself has challenged this *Hadīth* with four different points of view. However, everyone is free and responsible for his own conduct and deeds.

[2] He was nicknamed Abū Muhammad or Abū Mu'āwiya and his father's name is 'Alqama bin Al-Hārith Al-Aslami. His father and him were both Companions of the Prophet ﷺ. He witnessed Al-Hudaibiya, Khaibar and the latter battles. He settled at Kufa after the death of

said, "Say *Subhān Allāh* (Allāh is Free of Imperfections) *walhamdu lillāh* (and praise is to Allāh), *wa la ilāha illa-Allāh* (and there is nothing worthy of worship except Allāh), *wallāhu akbar* (and Allāh is the Most Great), *wa la hawla wa la quwwata illā billāh al-'Ali al-'Adheem* (and there is no might and no strength but in Allāh, the Most High, the Supreme)[1] " [Reported by Ahmad, Abū Dā'ud and An-Nasā'i; and Ibn Hibbān, Ad-Dāraqutni and Al-Hākim graded it *Sahih* (authentic)].

سُبْحَانَ اللهِ، وَالحَمْدُ لِلَّهِ، وَلَا إِلَهَ إِلَّا اللَّهُ، وَاللَّهُ أَكْبَرُ، وَلَا حَوْلَ وَلَا قُوَّةَ إِلَّا بِاللهِ العَلِيِّ العَظِيمِ» الحَدِيثَ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالدَّارَقُطْنِيُّ وَالحَاكِمُ.

224. Narrated Abū Qatāda ﵁: Allāh's Messenger ﷺ used to led us in prayer and recite in the first two *Rak'a* of the *Zuhr* and *'Asr* prayers *Surat Al-Fātiha* and two (other) *Sūrah*. And he would sometimes recite loud enough for us to hear the Verses.[2] He would prolong the first *Rak'a*, and would recite in the last two *Rak'a Surat Al-Fātiha* (only).[3] [Agreed upon].

(٢٢٤) وَعَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُصَلِّي بِنَا فَيَقْرَأُ فِي الظُّهْرِ وَالعَصْرِ فِي الرَّكْعَتَيْنِ الأُولَيَيْنِ بِفَاتِحَةِ الكِتَابِ وَسُورَتَيْنِ، وَيُسْمِعُنَا الآيَةَ أَحْيَانًا، وَيُطَوِّلُ الرَّكْعَةَ الأُولَى، وَيَقْرَأُ فِي الأُخْرَيَيْنِ بِفَاتِحَةِ الكِتَابِ. مُتَّفَقٌ عَلَيْهِ.

225. Narrated Abū Sa'īd Al-Khudri ﵁: We used to estimate the length of the standing position of Allāh's Messenger ﷺ in the *Zuhr* and *'Asr* prayers, and we estimated that he stood in the first two *Rak'a* of the *Zuhr* prayer as long as it

(٢٢٥) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا نَحْزُرُ قِيَامَ رَسُولِ اللهِ ﷺ فِي الظُّهْرِ وَالعَصْرِ، فَحَزَرْنَا قِيَامَهُ فِي الرَّكْعَتَيْنِ الأُولَيَيْنِ مِنَ الظُّهْرِ قَدْرَ ﴿الٓمٓ تَنزِيلُ﴾ السجدة

---

the Prophet and died there towards the end of 87 H. He became blind and was the last *Sahābi* to die at Kufa.

[1] Some people argue on the basis of this *Hadīth* that the recitation of *Sūrat Al-Fātiha* is not essential in the prayer, because the noble Prophet ﷺ did not say that he had to learn *Al-Fātiha*. It must be remembered that there is a consideration for disabled in the *Shari'at* (Divine law). Prohibitions and commands do not change with such exceptions. If someone says that due to some unavoidable circumstances he cannot perform *Wudu'* (ablution), he is told to perform *Tayammum* (purification with soil); it does not mean that ablution is not obligatory.

[2] It is unanimously agreed that the recitation in *Zuhr* and *'Asr* prayers is done silently (سراً) – in a low voice).

[3] Apparently it seems from this *Hadīth* that the noble Prophet ﷺ did not recite anything except *Al-Fātiha* in the last two *Rak'at*, but the *Hadīth* of Abū Sa'id in *Sahih Muslim* reports that they estimated the length of the last *Rak'at* as up to fifteen Verses, while *Sūrat Al-Fātiha* is only seven Verses. It seems that the Prophet ﷺ sometimes recited some Verses, and sometimes he did not. Therefore, in the last two *Rak'at*, the recitation (after *Al-Fatiha*) is *Sunnah*.

takes to recite *Alif-Lām-Mīm, Tanzil* (*Sūrat As-Sajdah*)[1] and in the last two *Rak'a*, half the time of that. And in the first two *Rak'a* of *'Asr*, he used to stand as long as the last two of the *Zuhr*. And the last two *Rak'a* of *'Asr* used to be of about half the time of the first two." [Reported by Muslim].

وفِي الأُخْرَيَيْنِ قدر النِّصْفِ مِنْ ذَلِكَ وَفِي الأُولَيَيْنِ مِنَ العَصْرِ، عَلَى قَدْرِ الأُخْرَيَيْنِ مِنَ الظُّهْرِ، وَالأُخْرَيَيْنِ عَلَى النِّصْفِ مِنْ ذَلِكَ. رَوَاهُ مُسْلِمٌ.

226. Narrated Sulaimān bin Yasār:[2] So-and-so used to prolong the first two *Rak'a* of the *Zuhr* prayer and shorten the *'Asr* prayer, and recite the short *Sūrah* of *Mufassal*[3] at *Maghrib* prayer, its medium *Sūrah* at the *'Ishā'* prayer, and its long ones at the *Fajr* prayer. Then Abū Huraira ﷺ said, "I never prayed behind anyone whose prayer more closely resembles that of Allāh's Messenger ﷺ than this person." [Reported by An-Nasā'i with a *Sahih* (authentic) *Isnād*].

(٢٢٦) وَعَنْ سُلَيْمَانَ بْنِ يَسَارٍ قَالَ: كَانَ فُلَانٌ يُطِيلُ الأُولَيَيْنِ مِنَ الظُّهْرِ وَيُخَفِّفُ العَصْرَ وَيَقْرَأُ فِي المَغْرِبِ بِقِصَارِ المُفَصَّلِ، وَفِي العِشَاءِ بِوَسَطِهِ، وَفِي الصُّبْحِ بِطِوَالِهِ، فَقَالَ أَبُو هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: مَا صَلَّيْتُ وَرَاءَ أَحَدٍ أَشْبَهَ صَلَاةً بِرَسُولِ اللهِ ﷺ مِنْ هَذَا. أَخْرَجَهُ النَّسَائِيُّ بِإِسْنَادٍ صَحِيحٍ.

227. Narrated Jūbair bin Mut'im ﷺ: I heard Allāh's Messenger ﷺ reciting *At-Tūr* (the Mountain – *Sūrat* No. 52)[4] in the *Maghrib* (sunset) prayer. [Agreed upon].

(٢٢٧) وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقْرَأُ فِي المَغْرِبِ بِالطُّورِ. مُتَّفَقٌ عَلَيْهِ.

228. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ used to recite during the *Fajr* prayer of Friday *Alif-Lām-Mīm*,

(٢٢٨) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَقْرَأُ فِي صَلَاةِ الفَجْرِ

[1] *Sūrat* no. 32, which contains thirty (30) Verses.

[2] He was one of the seven *Fiqh* scholars and among the eminent *Tābi'in*. He was reliable, pious, very learned and mastered many *Ahādith*. He was nicknamed Abū Ayub and was the manumitted slave of Maimuna 'the Mother of the Believers'. He died in 107 H. at the age of 73 years.

[3] From *Sūrat Al-Hujurāt* to the end, all *Sūrah* are called *Mufassal* (مفصل – detailed) because of the long span between two بسم الله الرحمن الرحيم From *Al-Hujurāt* to *Al-Burūj* are called *Tiwāl Mufassal* (طوال مفصل – long detailed). From *Al-Burūj* to *Al-Baiyinah* are called *Ausāt Mufassal* (أوساط مفصل – middle detailed) and from *Al-Baiyinah* to the end are called *Qisār Mufassal* (قصار مفصل – short detailed). Recitation of *Tiwāl* in the *Fajr* (morning) prayers, *Ausāt* in *'Isha'* (night) prayers and *Qisār* in *Maghrib* (sunset) prayers is *Sunna*. *Zuhr* (noon) prayer is linked with *Fajr* (morning) prayer and *'Asr* (afternoon) prayer is linked with *'Isha'* (night) prayer. Sometimes it is not in accord with this, as is given in the next *Hadīth*.

[4] Some *Ahadīth* report that *Sūrat Al-A'rāf*, *As-Sāffāt* and *Ad-Dukhān* were also recited in *Maghrib* (sunset) prayers. It means that long *Sūrah* have also been recited in *Maghrib* (sunset) prayers, and *Mu'awwidhatain* (*Sūrat Al-Falaq* and *An-Nās*) were recited in the *Fajr* (morning) prayers, but the usual practice was as has been given above.

Tanzil... (*As-Sajdah – Sūrat* no. 32) and *Hal ata 'alal-Insani...* (*Al-Insān - Sūrat* no. 76), which is also called *Sūrat Ad-Dahr*)[1] [Agreed upon]. At-Tabarāni narrated the *Hadith* of Ibn Mas'ūd which has the addition "... he (the Prophet ﷺ) did that constantly."[2]

يَوْمَ الجُمُعَةِ (آلم تَنْزِيلُ) السَّجْدَةَ، وَهَلْ أَتَى عَلَى الإنْسَانِ. مُتَّفَقٌ عَلَيْهِ. وَلِلطَّبَرَانِيِّ مِنْ حَدِيثِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: «يُدِيمُ ذَلِكَ».

229. Narrated Hudhaifa ﷺ: I prayed with the Prophet ﷺ and (noticed that) whenever he came to a verse which spoke of mercy, he stopped and made supplication, and whenever he came to a verse which spoke of punishment, he stopped and sought refuge in Allāh against it." [Reported by *Al-Khamsa*, and At-Tirmidhi graded it *Hasan* (good)].

(٢٢٩) وَعَنْ حُذَيْفَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّيْتُ مَعَ النَّبِيِّ ﷺ فَمَا مَرَّتْ بِهِ آيَةُ رَحْمَةٍ إِلَّا وَقَفَ عِنْدَهَا يَسْأَلُ، وَلَا آيَةُ عَذَابٍ إِلَّا تَعَوَّذَ مِنْهَا. أَخْرَجَهُ الخَمْسَةُ وَحَسَّنَهُ التِّرْمِذِيُّ.

230. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "I have been forbidden to recite the Qur'ān[3] while bowing or prostrating; so while in the bowing (position) glorify (the Perfection of) the *Rabb* (Lord), and while in the prostrating (position) be earnest in supplication, for it is fitting that your supplications may be answered." [Reported by Muslim].

(٢٣٠) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَلَا وَإِنِّي نُهِيتُ أَنْ أَقْرَأَ القُرْآنَ رَاكِعاً أَوْ سَاجِداً، فَأَمَّا الرُّكُوعُ فَعَظِّمُوا فِيهِ الرَّبَّ، وَأَمَّا السُّجُودُ فَاجْتَهِدُوا فِي الدُّعَاءِ، فَقَمِنٌ أَنْ يُسْتَجَابَ لَكُمْ». رَوَاهُ مُسْلِمٌ.

231. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ used to say while bowing and prostrating *Subhānaka Allāhumma Rabbana wa bihamdika, Allāhumma ighfir li* (How Perfect You are, O Allāh, Our *Rabb*, and praise is to You, O

(٢٣١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَقُولُ فِي رُكُوعِهِ وَسُجُودِهِ: «سُبْحَانَكَ اللَّهُمَّ رَبَّنَا وَبِحَمْدِكَ، اللَّهُمَّ اغْفِرْ لِي». مُتَّفَقٌ عَلَيْهِ.

[1] The creation of Adam, mysteries of creation and the Day of Gathering are mentioned in these chapters; and the Resurrection will happen on Friday. Due to this reason and relevancy, the noble Prophet ﷺ used to recite these chapters on Friday, so that the people may think that something is going to happen today and fear Allāh.

[2] It means that these *Sūrah* are to be recited every Friday in *Fajr* (morning) prayer. Any particular *Sūrah* which the noble Prophet ﷺ recited in any particular prayer with fixation and consistency, it is preferable to recite them in the same manner for that specific prayer as it is *Sunnah*. Recitation of other *Sūrah* is also permissible.

[3] In prostration and bowing, recitation of the noble Qur'ān is illegal and odious. The parts of prayer vary and every part has its own look and manner, and every part has special supplications and invocations. In bowing سبحان ربى العظيم and in prostration سبحان ربى الأعلى should be repeated. In prostration invocation is also permissible.

Allāh, forgive me)." [Agreed upon].

232. Narrated Abū Huraira ﷺ: When Allāh's Messenger ﷺ got up to pray, he would say the *Takbīr*[1] when standing up, then would say the *Takbīr* when bowing, then he would say *Sami'Allāhu liman hamidah* (Allāh listens to him who praises Him) when rising up from the bowing position, then he would say while standing *Rabbana wa lakal-hamd* (our *Rabb*, the praise is Yours), then he would say the *Takbīr* when going down for prostration, then when raising his head up, then when he prostrated again, then when raising his head up. He would then do that throughout the whole *Salāt* (prayer) and he would say the *Takbīr* when he got up – at the end of two *Rak'a* – from the sitting position." [Agreed upon].

(٢٣٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ إِذَا قَامَ إِلَى الصَّلَاةِ يُكَبِّرُ حِينَ يَقُومُ، ثُمَّ يُكَبِّرُ حِينَ يَرْكَعُ، ثُمَّ يَقُولُ: سَمِعَ اللَّهُ لِمَنْ حَمِدَهُ، حِينَ يَرْفَعُ صُلْبَهُ مِنَ الرُّكُوعِ، ثُمَّ يَقُولُ وَهُوَ قَائِمٌ. رَبَّنَا وَلَكَ الْحَمْدُ، ثُمَّ يُكَبِّرُ حِينَ يَهْوِي سَاجِداً، ثُمَّ يُكَبِّرُ حِينَ يَرْفَعُ رَأْسَهُ، ثُمَّ يُكَبِّرُ حِينَ يَسْجُدُ. ثُمَّ يُكَبِّرُ حِينَ يَرْفَعُ، ثُمَّ يَفْعَلُ ذَلِكَ فِي الصَّلَاةِ كُلِّهَا، وَيُكَبِّرُ حِينَ يَقُومُ مِنِ اثْنَتَيْنِ بَعْدَ الجُلُوسِ. مُتَّفَقٌ عَلَيْهِ.

233. Narrated Abū Sa'īd Al-Khudri ﷺ: Allāh's Messenger ﷺ used to say while raising his head after bowing: "*Allāhumma Rabbana lakal-hamdu mil'as-samawāti wal-ardi, wa mil'a ma shi'ta min shai'in ba'du, ahlaththana'i wal-majdi, ahaqqu mā qāl-al'abdu, wa kullunā laka 'abdun. Allāhumma la māni'a limā a'taita, wa lā mu'tiya limā man'ata, wa lā yanfa'u dhal-jaddi minka-l-jaddu* (O Allāh, our *Rabb* (Lord), to You is praise in all the heavens and all the earth, and all that You Will (to create) afterwards, O You, Who are worthy of praise and glory, the most worthy of what a slave says – and we are all Your slaves: no one can withhold what You give, or give what You withhold, and riches[2]

(٢٣٣) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا رَفَعَ رَأْسَهُ مِنَ الرُّكُوعِ قَالَ: «اللَّهُمَّ رَبَّنَا لَكَ الحَمْدُ مِلْءَ السَّمٰوَاتِ وَالأَرْضِ، وَمِلْءَ مَا شِئْتَ مِنْ شَيْءٍ بَعْدُ، أَهْلَ الثَّنَاءِ وَالمَجْدِ، أَحَقُّ مَا قَالَ العَبْدُ - وَكُلُّنَا لَكَ عَبْدٌ - اللَّهُمَّ لَا مَانِعَ لِمَا أَعْطَيْتَ، وَلَا مُعْطِيَ لِمَا مَنَعْتَ، وَلَا يَنْفَعُ ذَا الجَدِّ مِنْكَ الجَدُّ». رَوَاهُ مُسْلِمٌ.

[1] First *Takbīr* (saying *Allāhu Akbar*) is called *Takbir At-Tahrimah* (forbidding other things than prayer) or *Takbir Al-Iftitāh* (opening) or *Takbir Uula* (initial), and the remaining *Takbir* are called *Takbirāt Intiqāl*, meaning the change in posture during prayer, as from standing to bowing and from bowing to prostration, etc. The first *Takbir* is a strict obligation and the rest are *Sunnah*, and according to some are *Wajib* (compulsory).

[2] The word *Jadd* جد, used in Arabic, has two meanings: first, grandfather and ancestors and

cannot avail a wealthy person against You."[1] [Reported by Muslim].

234. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "I have been commanded to prostrate on seven bones; on the forehead – and he pointed at his nose[2], the hands (the palms), the knees and the tips (toes) of the feet." [Agreed upon].

(٢٣٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أُمِرْتُ أَنْ أَسْجُدَ عَلَى سَبْعَةِ أَعْظُمٍ: عَلَى الْجَبْهَةِ - وَأَشَارَ بِيَدِهِ إِلَى أَنْفِهِ - وَالْيَدَيْنِ، وَالرُّكْبَتَيْنِ وَأَطْرَافِ الْقَدَمَيْنِ». مُتَّفَقٌ عَلَيْهِ.

235. Narrated Ibn Buhaina[3] ﷺ: When the Prophet ﷺ prostrated while praying, he used to spread out his arms so that the whiteness of his armpits would be visible. [Agreed upon].

(٢٣٥) وَعَنِ ابْنِ بُحَيْنَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ. أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا صَلَّى وَسَجَدَ، فَرَّجَ بَيْنَ يَدَيْهِ حَتَّى يَبْدُوَ بَيَاضُ إِبِطَيْهِ. مُتَّفَقٌ عَلَيْهِ.

236. Narrated Al-Barā' bin 'Azib[4] ﷺ: Allāh's Messenger ﷺ said, "When you prostrate, place the palms of your hands on the ground and raise your elbows." [Reported by Muslim].

(٢٣٦) وَعَنِ الْبَرَاءِ بْنِ عَازِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا سَجَدْتَ فَضَعْ كَفَّيْكَ، وَارْفَعْ مِرْفَقَيْكَ». رَوَاهُ مُسْلِمٌ.

237. Narrated Wā'il bin Hujr ﷺ: Whenever the Prophet ﷺ bowed, he would spread out his fingers and when

(٢٣٧) وَعَنْ وَائِلِ بْنِ حُجْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا رَكَعَ فَرَّجَ بَيْنَ

secondly, glory, respect, wealth or good fortune. Both meanings are correct in this context because wealth, nobility of birth and dignity have no value before Allāh. Only good deeds [coupled with correct belief] are a means to escape from Allāh's punishment. The noble Prophet ﷺ told his daughter Fatima ﷺ to do good deeds to save herself from punishment, and should not depend on her father or geneology. Salvation depends on good deeds and faith. If the Prophet ﷺ has notified his own daughter in such words, then who else can be proud of his nobility.

[1] This supplication of the noble Prophet ﷺ is an ample proof to refute the assumption of those who just get straight in *Qauma* (standing up in prayer after bowing) and consider that the delay up to three *Tasbih* (saying *Subhan Allāh*) will make compensatory prostration compulsory. When something is proven from the Prophet ﷺ then a believer should not follow one's opinion.

[2] The *Hadīth* makes it clear that nose and forehead, both are regarded as one organ. If these are counted separately, the number of organs will become eight.

[3] He is Abū Muhammad 'Abdullāh bin Mālik bin Al-Qishb Al-Azdi and Buhaina is the name of his mother. He became a Muslim early on and was a hermit (loner), virtuous and used to fast very often. He died at the bottom of Rim valley, three miles from Al-Madīnah, between 54 H. and 58 H.

[4] He is Abū 'Amāra Al-Barā' bin 'Azib bin Al-Hārith bin 'Adi Al-Ansāri Al-Ausi who was a *Sahābi* and son of a *Sahābi*. He was left out at Badr due to young age and his first participation was at Uhud or Al-Khandaq. He conquered Ar-Ray and took part in the battles of Al-Jamal, Siffin and Naharwān with 'Ali. He died at Kūfa in 72 H.

he prostrated he would bring his fingers together. [Reported by Al-Hākim].

أَصَابِعِهِ، وَإِذَا سَجَدَ ضَمَّ أَصَابِعَهُ. رَوَاهُ الحَاكِمُ.

238. Narrated 'Aisha: I saw Allāh's Messenger ﷺ praying while he sat cross-legged[1]. [Reported by An-Nasā'i, and Ibn Khuzaima graded it *Sahih* (authentic)].

(٢٣٨) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: رَأَيْتُ رَسُولَ اللهِ ﷺ يُصَلِّي مُتَرَبِّعاً. رَوَاهُ النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

239. Narrated Ibn 'Abbās: The Prophet ﷺ used to say between the two prostrations: "*Allāhumma ighfir li warhamni, wahdini, wa 'āfini warzuqni* (O Allāh, forgive me, have mercy on me, guide me, grant me health and well-being, and provide sustenance for me)." [Reported by *Al-Arba'a* except An-Nasā'i, and this is the wording of Abū Dā'ud. Al-Hākim graded it *Sahih* (authentic)].

(٢٣٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ كَانَ يَقُولُ بَيْنَ السَّجْدَتَيْنِ: اَللَّهُمَّ اغْفِرْ لِي، وَارْحَمْنِي، وَاهْدِنِي، وَعَافِنِي، وَارْزُقْنِي. رَوَاهُ الأَرْبَعَةُ إِلَّا النَّسَائِيَّ، وَاللَّفْظُ لِأَبِي دَاوُدَ، وَصَحَّحَهُ الحَاكِمُ.

240. Narrated Mālik bin Al-Huwairith: He saw the Prophet ﷺ praying and when he had prayed an odd number of *Rak'a*, he did not stand up till he had sat up properly.[2] [Reported by Al-Bukhāri].

(٢٤٠) وَعَنْ مَالِكِ بْنِ الحُوَيْرِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ رَأَى النَّبِيَّ ﷺ يُصَلِّي، فَإِذَا كَانَ فِي وِتْرٍ مِنْ صَلَاتِهِ لَمْ يَنْهَضْ حَتَّى يَسْتَوِيَ قَاعِداً. رواه البخاري.

241. Narrated Anas bin Mālik: The Prophet ﷺ recited *Qunūt* (supplication in the prayer) for one month after (rising up from the) bowing (position), invoking curse on some Arab tribes.[3] Afterwards, he gave it up. [Agreed upon].

(٢٤١) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَنَتَ شَهْراً بَعْدَ الرُّكُوعِ، يَدْعُو عَلَى أحياءٍ من أَحْيَاءِ العَرَبِ، ثُمَّ تَرَكَهُ. مُتَّفَقٌ عَلَيْهِ.

Ahmad and Ad-Dāraqutni narrated something similar, adding that he (ﷺ) continued to recite *Qunūt*

وَلِأَحْمَدَ وَالدَّارَقُطْنِيِّ نَحْوُهُ مِنْ وَجْهٍ آخَرَ، وَزَادَ: فَأَمَّا فِي الصُّبْحِ فَلَمْ يَزَلْ يَقْنُتُ حَتَّى

[1] This was due to a legitimate excuse concerning disability as he had fallen down from a horse and suffered the dislocation of a joint in his leg.

[2] It means in the first and third *Rak'a*, and this is known as *Jalsatal-Istirāhat* (resting posture). According to a narration, the Prophet ﷺ used to sit in this posture for such a long time that people began to think it is due to his forgetfulness. It was not because of his old age as he never ever lightened any of his obligations due to old age.

[3] These tribes were Ri'l (رعل), Dhakwān (ذكوان), and Usaiya (عصية). They entered a covenant with the Prophet ﷺ but betrayed it and killed seventy preachers of Islam, after treacherously inviting them. This incident is known as *Bi'r Ma'una*.

(supplication in prayer) in the *Fajr* prayer till he separated from this world.

فَارَقَ الدُّنْيَا .

242. Narrated (Anas) ﷺ: The Prophet ﷺ never used to supplicate[1] [i.e. *Qunūt* in the prayer] except when he prayed for a people or when he prayed against a people. [Ibn Khuzaima graded it *Sahih* (authentic)].

(٢٤٢) وَعَنْهُ أَنَّ النَّبِيَّ ﷺ كَانَ لَا يَقْنُتُ إِلَّا إِذَا دَعَا لِقَوْمٍ أَوْ عَلَى قَوْمٍ. صَحَّحَهُ ابْنُ خُزَيْمَةَ.

243. Narrated Sa'd[2] bin Tāriq[3] Al-Ashja'i ﷺ: I said to my father, "You have prayed behind Allāh's Messenger ﷺ, Abū Bakr, 'Umar, Uthmān, and 'Ali. Did they supplicate (with *Qunūt* while standing) in the *Fajr* prayer?" He replied, "O my son, it is an innovation." [Reported by *Al-Khamsa*, except Abu Dā'ud].

(٢٤٣) وَعَنْ سَعْدِ بْنِ طَارِقٍ الأَشْجَعِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قُلْتُ لِأَبِي: يَا أَبَتِ! إِنَّكَ قَدْ صَلَّيْتَ خَلْفَ رَسُولِ اللهِ ﷺ وَأَبِي بَكْرٍ وَعُمَرَ وَعُثْمَانَ وَعَلِيٍّ، أَفَكَانُوا يَقْنُتُونَ فِي الفَجْرِ؟ قَالَ: أَيْ بُنَيَّ مُحْدَثٌ. رَوَاهُ الْخَمْسَةُ إِلَّا أَبَا دَاوُدَ.

244. Narrated Al-Hasan bin 'Ali[4] ﷺ: Allāh's Messenger ﷺ taught me some words to say when standing in supplication during the *Witr*, they were: "O Allāh, guide me among those You have guided, grant me well-being among those You have granted well-being, take me into Your charge among those You have taken into Your charge,

(٢٤٤) وَعَنِ الحَسَنِ بْنِ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّهُ قَالَ: عَلَّمَنِي رَسُولُ اللهِ ﷺ كَلِمَاتٍ أَقُولُهُنَّ فِي قُنُوتِ الوِتْرِ: «اللَّهُمَّ اهْدِنِي فِيمَنْ هَدَيْتَ، وَعَافِنِي فِيمَنْ عَافَيْتَ، وَتَوَلَّنِي فِيمَنْ تَوَلَّيْتَ، وَبَارِكْ لِي فِيمَا أَعْطَيْتَ، وَقِنِي شَرَّ مَا قَضَيْتَ، فَإِنَّكَ تَقْضِي وَلَا يُقْضَى

[1] Apparently, there seems to be a contradiction between these *Ahadīth*. The first one states that the Prophet ﷺ always recited *Qunūt* in the morning prayer; whereas according to the second *Hadīth*, he recited the same whenever he prayed – either for the welfare of a nation or for their destruction. The third *Hadīth* states that its recitation in the morning prayer is an innovation (see the next *Hadīth* no. 243). Hence it becomes clear to us that the Prophet ﷺ and his caliphs used to recite *Qunūt* in their morning prayers. As to the occurrence of the word 'innovation' in the *Hadīth*, it implies that it was not really taken to be imperative in those days like what the people continually practice during present times. This is only like clinging to the innovation, which in turn means that one should not recite *Qunut* in the morning prayers unless there is a compelling need for it. In the first *Hadīth* the words "he (ﷺ) recited *Qunūt* always in the *Fajr* prayer," denote that its recitation was not nullified and whenever he stood in need of the same, he kept reciting it.

[2] He is Abū Mālik Sa'd bin Tāriq bin Ashyam bin Mas'ūd Al-Ashja'i Al-Kufi. He was among the reliable *Tābi'in*, he died around 140 H.

[3] Tāriq is a *Sahābi* who only narrated a few *Ahādith*. Only fourteen *Ahādith* were narrated from him, all by his aforementioned son Sa'd. He settled at Kūfa.

[4] He was the beloved grandson of Allāh's Messenger ﷺ and one of the youth of Paradise. He was born in Ramadān 3 H. and was sworn as the *Khalifa* after the killing of his father 'Ali. He handed over the caliphate to Mu'āwiya in Jamāda Al-Ula 41 H. after seven months, as he hated to spill the Muslim blood. He died in 49 H. and was buried at Al-Baqi'.

bless me in what You have given, guard me from the evil of what You have decreed, for You decree and none can decree over You. He whom You befriend is not humbled. Blessed and Exalted are You, our *Rabb* (Lord)." [Reported by *Al-Khamsa*]. At-Tabarāni and Al-Baihaqi added: "He whom You hold as enemy is not honoured." An-Nasā'i reported through another chain of narrators, adding at its end: "May Allāh the Most High send His *Salat* on the Prophet (praising him in the highest assemblies of the angels)."[1]

عَلَيْكَ، إِنَّهُ لَا يَذِلُّ مَنْ وَّالَيْتَ، تَبَارَكْتَ رَبَّنَا وَتَعَالَيْتَ». رَوَاهُ الْخَمْسَةُ، وَزَادَ الطَّبَرَانِيُّ وَالْبَيْهَقِيُّ: «وَلَا يَعِزُّ مَنْ عَادَيْتَ». زَادَ النَّسَائِيُّ مِنْ وَجْهٍ آخَرَ فِي آخِرِهِ: «وَصَلَّى اللَّهُ عَلَى النَّبِيِّ».

Narrated Ibn 'Abbas ﷺ: Allah's Messenger ﷺ used to teach us a supplication to say in the *Qunūt* of the morning prayer. [Al-Baihaqi reported it and there is a weakness in its chain of narrators].

وَلِلْبَيْهَقِيِّ عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كانَ رَسُولُ اللهِ ﷺ يُعَلِّمُنَا دُعَاءً نَدْعُو بِهِ فِي الْقُنُوتِ مِنْ صَلَاةِ الصُّبْحِ. وَفِي سَنَدِهِ ضَعْفٌ.

245. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "When one of you prostrates, he should not kneel in the manner of a camel, but should put down his hands before his knees." [Reported by *Ath-Thalātha*].

(٢٤٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا سَجَدَ أَحَدُكُمْ فَلَا يَبْرُكْ كَمَا يَبْرُكُ الْبَعِيرُ، وَلْيَضَعْ يَدَيْهِ قَبْلَ رُكْبَتَيْهِ». أَخْرَجَهُ الثَّلَاثَةُ.

This *Hadīth* is more authentic[2] than the *Hadīth* narrated by Wā'il bin Hujr ﷺ: I saw the Prophet ﷺ placing his knees (on the ground) before his hands when he prostrated. [Reported by *Al-Arba'a*]. The first *Hadīth* has a *Shahid* (supporting evidence) in the *Hadīth* of Ibn 'Umar ﷺ (coming next), which is

وَهُوَ أَقْوَى مِنْ حَدِيثِ وَائِلِ بْنِ حُجْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: «رَأَيْتُ النَّبِيَّ ﷺ إِذَا سَجَدَ وَضَعَ رُكْبَتَيْهِ قَبْلَ يَدَيْهِ». أَخْرَجَهُ الأَرْبعَةُ. فَإِنَّ لِلأَوَّلِ شَاهِداً مِنْ حَدِيثِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُما، صَحَّحَهُ ابْنُ خُزَيْمَةَ. وَذَكَرَهُ

[1] It may be clarified that some of the people recite *Qunūt* with their hands open, before going into the state of *Ruku'* (bowing), but the right procedure is that one should recite *Qunūt* with raised hands after standing upright from the state of *Ruku'*. Some people always recite *Qunūt* in their *Witr* (odd prayer), whereas some recite it only in the last ten nights of Ramadān. Some consider *Qunūt* as *Wājib* (compulsory), whereas some regard it *Sunnah*. Some regard the *Witr* prayers as *Wājib*; and some take them to be *Sunnah*. The fact is that they are *Sunnah*.

[2] The book *Fathul-Uloom* states that both of the *Ahadīth* are strong ones and are acted upon on an equal footing. However, the action of the *Muhaddithīn* (narrators of the *Ahadīth*) and *Hanābela* is based on the *Hadīth* narrated by Abu Huraira. The action of *Shāfi'iya* and *Hanafīya* and (according to a narration) *Mālikiya* is based on the reference of Wā'il.

authenticated by Ibn Khuzaima. Al-Bukhāri mentioned it as a *Hadīth Mu'allaq* (missing links from the side of the *Hadith* collector) and *Mawqūf* (saying of a companion).

الْبُخَارِيُّ مُعَلَّقاً مَوْقُوفاً.

246. Narrated Ibn 'Umār ﷺ: When Allāh's Messenger ﷺ sat for *At-Tashahhud*, he placed his left hand on his left knee, and his right hand on his right knee, folded its fingers[1] and pointed with his right index finger. [Reported by Muslim].

(٢٤٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ كَانَ إِذَا قَعَدَ لِلتَّشَهُّدِ وَضَعَ يَدَهُ الْيُسْرَى عَلَى رُكْبَتِهِ الْيُسْرَى، وَالْيُمْنَى عَلَى الْيُمْنَى، وعَقَدَ ثَلَاثاً وَخَمْسِينَ، وَأَشَارَ بِإِصْبَعِهِ السَّبَّابَةِ. رَوَاهُ مُسْلِمٌ.

In another narration of Muslim: 'and he clenched all his (right hand) fingers and pointed with the index finger.'

وَفِي رِوَايَةٍ لَهُ: وَقَبَضَ أَصَابِعَهُ كُلَّهَا، وَأَشَارَ بِالَّتِي تَلِي الإِبْهَامَ.

247. Narrated 'Abdullāh bin Mas'ūd ﷺ: Allāh's Messenger ﷺ looked at us and said, "When one of you is (sitting) in prayer, he should say, 'All services reported by words, by prayers (acts of worship), and all good things are due to Allāh, peace be upon you, O Prophet,[2] and Allāh's mercy and blessings, peace be upon us and upon Allāh's upright slaves. I testify that nothing deserves to be worshipped except Allāh and I testify that Muhammad is His slave and Messenger.' Then he may choose any supplication[3] which pleases him most and recite it." [Agreed upon, and this wording is from *Al-Bukhāri*].

(٢٤٧) وَعَنْ عَبْدِاللهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: الْتَفَتَ إِلَيْنَا رَسُولُ اللهِ ﷺ، فَقَالَ: «إِذَا صَلَّى أَحَدُكُمْ فَلْيَقُلِ: التَّحِيَّاتُ للهِ وَالصَّلَوَاتُ وَالطَّيِّبَاتُ، السَّلَامُ عَلَيْكَ أَيُّهَا النَّبِيُّ! وَرَحْمَةُ اللهِ وَبَرَكَاتُهُ، السَّلَامُ عَلَيْنَا وَعَلَى عِبَادِ اللهِ الصَّالِحِينَ، أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَشْهَدُ أَنَّ مُحَمَّداً عَبْدُهُ وَرَسُولُهُ» ثُمَّ لِيَتَخَيَّرْ مِنَ الدُّعَاءِ أَعْجَبَهُ إِلَيْهِ، فَيَدْعُو. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

[1] It should be done in such a manner that one should keep thumb clung to the bottom of his forefinger while keeping the rest of the three fingers closed. Then he should raise his forefinger and lower it while reciting *Lā ilāha ill-Allāh*. Some scholars hold that one should point with the forefinger – without moving it – during *At-Tashahhud*. Still others hold that the forefinger should be in motion from the beginning of *At-Tashahhud* until the end of the prayer [or until standing for the next *Rak'ah*, if it is not the final sitting].

[2] At first, the Prophet ﷺ taught us to send *Salāt* (greetings, blessings) on him because his right on his *Ummah* (nation) is more than anyone, more than the believer himself.

[3] This *Hadīth* explains that invocation for something during the prayer is keeping in line with the tradition of the Prophet ﷺ. This also clarifies that there is no specification as to what one can ask for during the prayer. One can ask for anything he likes whether it concerns this world or the Hereafter.

In the narration of An-Nasā'i: 'we used to say before *At-Tashahhud*[1] become obligatory on us'; and in the narration of Ahmad: 'The Prophet ﷺ taught him *At-Tashahhud* and ordered him to teach it to the people.'

وَلِلنَّسَائِيِّ: «كُنَّا نَقُولُ قَبْلَ أَنْ يُفْرَضَ عَلَيْنَا التَّشَهُّدُ». وَلِأَحْمَدَ: أَنَّ النَّبِيَّ ﷺ عَلَّمَهُ التَّشَهُّدَ، وَأَمَرَهُ أَنْ يُعَلِّمَهُ النَّاسَ.

In Muslim's narration from Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ used to teach us *At-Tashahhud*: "All services expressed by words, increase in good, acts of worship and all good things are due to Allāh ..." till the end.

وَلِمُسْلِمٍ عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُعَلِّمُنَا التَّشَهُّدَ: «التَّحِيَّاتُ المُبَارَكَاتُ الصَّلَوَاتُ الطَّيِّبَاتُ لِلهِ» إِلَى آخِرِهِ.

248. Narrated Fadāla bin 'Ubaid[2] ﷺ: Allāh's Messenger ﷺ heard a man supplicating during his prayer. He did not praise Allāh, nor did he invoke blessings on the Prophet ﷺ. He (ﷺ) said, "He made haste." He then called him and said, "When any of you prays, he should begin with the glorification of his *Rabb* (Lord) and praise Him; he should then invoke blessings on the Prophet (ﷺ); thereafter he should supplicate Allāh for anything he wishes." [Ahmad and *Ath-Thalātha* reported it; At-Tirmidhi, Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

(٢٤٨) وَعَنْ فَضَالَةَ بْنِ عُبَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعَ رَسُولُ اللهِ ﷺ رَجُلاً يَدْعُو فِي صَلَاتِهِ، وَلَمْ يَحْمَدِ اللَّهَ، وَلَمْ يُصَلِّ عَلَى النَّبِيِّ ﷺ، فَقَالَ: عَجِلَ هَذَا، ثُمَّ دَعَاهُ، فَقَالَ: إِذَا صَلَّى أَحَدُكُمْ فَلْيَبْدَأْ بِتَحْمِيدِ رَبِّهِ وَالثَّنَاءِ عَلَيْهِ، ثُمَّ يُصَلِّي عَلَى النَّبِيِّ ﷺ، ثُمَّ يَدْعُو بِمَا شَاءَ. رَوَاهُ أَحْمَدُ وَالثَّلَاثَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ وَالحَاكِمُ.

249. Narrated Abū Mas'ūd Al-Ansāri[3] ﷺ: Bashir bin Sa'd[4] said, "Allāh has commanded us to invoke blessings on you, O Messenger of Allāh! But how

(٢٤٩) وَعَنْ أَبِي مَسْعُودٍ الأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ بَشِيرُ بْنُ سَعْدٍ: يَا رَسُولَ اللهِ! أَمَرَنَا اللَّهُ أَنْ نُصَلِّيَ عَلَيْكَ، فَكَيْفَ نُصَلِّي

[1] What the people used to recite before *At-Tashahhud* became obligatory, has not been mentioned by the narrator, but according to some other *Ahadīth* they used to say: "Blessings of Allāh be upon Gabriel and Michael." The Prophet ﷺ instructed people to refrain from saying this and then taught them *At-Tashahhud*.

[2] Fadāla bin 'Ubaid bin Nāfidh bin Qais is nicknamed Abū Muhammad Al-Ansāri Al-Awsi. He first fought in Uhud and the rest of the latter battles. He pledged allegiance (to the Prophet) at *Bai'atur-Ridwān*. He went to Shām and settled at Damascus and became its *Qādi* appointed by Mu'āwiya when he was going to the battle of *As-Siffin*. He died in the year 56 H.

[3] He is 'Uqba bin 'Amr bin Tha'laba Al-Ansāri Al-Badri who was one of the eminent *Sahāba*. He took part in the second *'Aqaba* while young. He settled in Kufa and died there or in Al-Madīnah after the forties of *Al-Hijra*.

[4] He is Abū An-Nu'mān Bashir bin Sa'd bin Tha'laba bin Al-Jullās or Al-Khallās Al-Ansāri Al-

should we bless you?'' Allāh's Messenger ﷺ kept quiet (a while) and then said, "Say:[1] 'O Allāh, bless Muhammad and the members of his family as You have blessed Ibrāhim, and grant favours to Muhammad and the members of his family as You have granted favours to Ibrāhim. In the worlds You are indeed Praiseworthy and Glorious.' And the *Taslim* is as you know."[2] [Reported by Muslim]. Ibn Khuzaima added to it: "How should we invoke blessings on you, whenever we invoke blessing on you in our prayers?''

عَلَيْكَ؟ فَسَكَتَ؟ ثُمَّ قَالَ: «قُولُوا: اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ، وَعَلَى آلِ مُحَمَّدٍ، كَمَا صَلَّيْتَ عَلَى إِبْرَاهِيمَ، وَبَارِكْ عَلَى مُحَمَّدٍ، وَعَلَى آلِ مُحَمَّدٍ، كَمَا بَارَكْتَ عَلَى إِبْرَاهِيمَ فِي العَالَمِينَ، إِنَّكَ حَمِيدٌ مَجِيدٌ. والسَّلَامُ كَمَا عَلِمْتُمْ». رَوَاهُ مُسْلِمٌ، وَزَادَ ابْنُ خُزَيْمَةَ فِيهِ: فَكَيْفَ نُصَلِّي عَلَيْكَ إِذَا نَحْنُ صَلَّيْنَا عَلَيْكَ فِي صَلَاتِنَا؟.

250. Narrated Abū Huraira ؓ: Allāh's Messenger ﷺ said, "When one of you finishes the (last) *Tashahhud*, he should seek refuge in Allāh from four things by saying: 'O Allāh I seek refuge in You against the punishment of *Jahannam* (Hell-fire), the punishment of the grave,[3] the trial of life and death and the evil of the trial of *Masih Ad-Dajjāl*[4] (Antichrist).''' [Agreed upon]. In the narration of Muslim:

(٢٥٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا تَشَهَّدَ أَحَدُكُمْ فَلْيَسْتَعِذْ بِاللَّهِ مِنْ أَرْبَعٍ، يَقُولُ: اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنْ عَذَابِ جَهَنَّمَ، وَمِنْ عَذَابِ القَبْرِ، وَمِنْ فِتْنَةِ المَحْيَا وَالمَمَاتِ، وَمِنْ فِتْنَةِ المَسِيحِ الدَّجَّالِ». مُتَّفَقٌ عَلَيْهِ، وَفِي رِوَايَةٍ لِمُسْلِمٍ: إِذَا فَرَغَ أَحَدُكُمْ مِنَ التَّشَهُّدِ الأَخِيرِ.

Khazraji. He is a *Badri* (fought at Al-Badr) and an *'Aqabi* (attended the *'Aqaba* agreement). He also attended the battles of Uhud, Al-Khandaq, and the rest of the other important battles. He was killed at 'Ein At-Tamr in the year 13 H.

[1] The words of the *Salāt* (sending peace and the blessings of Allāh on the Prophet ﷺ) are mentioned differently in different *Ahadīth*. There is a word more in a *Hadīth* while there is a word less in another one.

[2] This clarifies that *Salāt* (peace and the blessings of Allāh on the Prophet ﷺ) should be recited after *At-Tashahhud* in the prayers and that invocation should be made in the last *Tashahhud* only. We are further informed that the recitation of *Salāt* on the noble Prophet ﷺ during prayers is *Wājib* (compulsory).

[3] This *Hadīth* tells us that the dead person will face the torment in the grave. Similarly, a true believer is all at ease there. This substance is proven by several *Ahadīth*.

[4] *Al-Masih Ad-Dajjāl* (Antichrist) will be a disbeliever appearing prior to the Judgement Day to test the Faith of the believers. The faithful persons will adhere to their Faith steadfastly despite extreme adversities, whereas the people having a shaky and weak Belief, disbelievers and hypocrites will fall under his command. The Antichrist will be known as Messiah. Prophet Jesus is also called Messiah. Although the pronunciation of the two is the same but the meanings purported therewith are different. Prophet Jesus is known as Messiah because the sick people were cured if he touched them. The meaning of Messiah is touching. The Antichrist will be known as Messiah because one of his eyes will be a distorted one. Hence, the expression *Mamsuhul-Ain* (the one whose eyes has been touched or tampered with and

"when any of you finishes the last *Tashahhud*.[1] "

251. Narrated Abū Bakr As-Siddiq[2] ﷺ: He said to Allāh's Messenger ﷺ, "Teach me a supplication to use in my prayer." He (ﷺ) said, "Say: O Allāh, I have greatly wronged myself, and no one forgives sins except You, so grant me forgiveness from You and have mercy on me, You are the Forgiving and the Merciful One."[3] [Agreed upon].

(٢٥١) وَعَنْ أَبِي بَكْرٍ الصِّدِّيقِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ قَالَ لِرَسُولِ اللهِ ﷺ: عَلِّمْنِي دُعَاءً أَدْعُو بِهِ فِي صَلَاتِي! قَالَ: «قُلْ: اللَّهُمَّ إِنِّي ظَلَمْتُ نَفْسِي ظُلْماً كَثِيراً، وَلَا يَغْفِرُ الذُّنُوبَ إِلَّا أَنْتَ، فَاغْفِرْ لِي مَغْفِرَةً مِنْ عِنْدِكَ، وَارْحَمْنِي، إِنَّكَ أَنْتَ الغَفُورُ الرَّحِيمُ». مُتَّفَقٌ عَلَيْهِ.

252. Narrated Wā'il bin Hujr ﷺ: I prayed with the Prophet ﷺ and he would give the *Taslim* (salutation) to his right side[4] (saying), "Peace be upon you and the mercy and blessings of Allāh"; and to his left side (saying), "Peace be upon you and mercy and the blessings of Allāh." [Reported by Abū Dā'ud, with a *Sahih* (authentic) chain].

(٢٥٢) وَعَنْ وَائِلِ بْنِ حُجْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّيْتُ مَعَ النَّبِيِّ ﷺ، فَكَانَ يُسَلِّمُ عَنْ يَمِينِهِ: السَّلَامُ عَلَيْكُمْ وَرَحْمَةُ اللهِ وَبَرَكَاتُهُ، وَعَنْ شِمَالِهِ: السَّلَامُ عَلَيْكُمْ وَرَحْمَةُ اللهِ وبَرَكَاتُهُ. رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ صَحِيحٍ.

253. Narrated Al-Mughira bin Shu'ba ﷺ: The Prophet ﷺ used to say after every obligatory prayer: "There is nothing worthy of worship except Allāh Alone, Who has no partner. To Him belongs the kingdom, to Him praise is due, and He has power over every

(٢٥٣) وَعَنِ المُغِيرَةِ بْنِ شُعْبَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ يَقُولُ فِي دُبُرِ كُلِّ صَلَاةٍ مَكْتُوبَةٍ: «لَا إِلَهَ إِلَّا اللَّهُ، وَحْدَهُ لَا شَرِيكَ لَهُ، لَهُ المُلْكُ، وَلَهُ الحَمْدُ، وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ، اللَّهُمَّ لَا مَانِعَ لِمَا أَعْطَيْتَ،

thus distorted) applies on him.

[1] In some of the *Ahadīth*, the words من المغرم والمأثم (from debts and sin) are also included. It is reported in *Al-Bukhāri* that the Prophet ﷺ was asked as to why does he seek protection from indebtedness to such a degree? He answered that the person in debt not only tells lies, but also breaks his promises. The calamity of life lies in the ill-fated ending of it (without Faith) and the calamity of death lies in the severity of questioning in the grave.

[2] He is 'Abdullāh bin 'Uthmān Abū Quhāfa bin 'Aamir At-Taimi, the *Khalifa* (successor) of Allāh's Messenger ﷺ and his companion in the cave, the best of this Ummah other than the Prophet ﷺ. He was white with curly hair, pleasant and thin. He is well known and needs no elaboration. He died in Jumada Al-Ukhra of the year 13 H.

[3] This *Hadīth* shows that a man should always be apologetic of his delinquencies even if he acquires the uppermost level of truthfulness and sincerity.

[4] There are narrations from fifteen Companions of the Prophet ﷺ concerning *Salām* (*Taslim* – Salutation). Some of them may be graded as "sound", some are "fair" and some are "weak". None of those contains the words "*wa barakātuhu*" except this hadith of Wa'il bin Hujr. This is the only narration in this regard which is regarded as trustworthy and is acceptable.

thing. O Allāh no one can withhold what You have given, or give what You have withheld and riches cannot avail a wealthy person[1] against You." [Agreed upon].

وَلَا مُعْطِيَ لِمَا مَنَعْتَ، وَلَا يَنْفَعُ ذَا الجَدِّ مِنْكَ الجَدُّ». مُتَّفَقٌ عَلَيْهِ.

254. Narrated Sa'd bin Abi Waqqās[2] ﷺ: Allāh's Messenger ﷺ used to seek Allāh's protection by invoking this supplication (*Du'a*) at the end of every *Salāt* (prayer): "O Allāh, I seek refuge in You from stinginess, I seek refuge in You from cowardice, I seek refuge in You from old age (and senility),[3] I seek refuge in You from the temptation of the world and I seek refuge in You from the punishment in the grave." [Reported by Al-Bukhāri].

(٢٥٤) وَعَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ كَانَ يَتَعَوَّذُ بِهِنَّ دُبُرَ كُلِّ صَلَاةٍ: «اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنَ البُخْلِ، وَأَعُوذُ بِكَ مِنَ الجُبْنِ، وَأَعُوذُ بِكَ مِنْ أَنْ أُرَدَّ إِلَى أَرْذَلِ العُمُرِ، وَأَعُوذُ بِكَ مِنْ فِتْنَةِ الدُّنْيَا، وَأَعُوذُ بِكَ مِنْ عَذَابِ القَبْرِ». رَوَاهُ البُخَارِيُّ.

255. Narrated Thaubān ﷺ: Whenever Allāh's Messenger ﷺ finished his prayer, he used to say after asking Allāh's forgiveness three times:[4] "O Allāh, You are *As-Salam* (One Free from every defect), and As-*Salam* (safety from every evil) is (sought) from You. Blessed are You, O Possessor of glory and honour."[5] [Reported by Muslim].

(٢٥٥) وَعَنْ ثَوْبَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا انْصَرَفَ مِنْ صَلَاتِهِ اسْتَغْفَرَ اللَّهَ ثَلَاثاً، وَقَالَ: «اللَّهُمَّ أَنْتَ السَّلَامُ، وَمِنْكَ السَّلَامُ، تَبَارَكْتَ يَا ذَا الجَلَالِ وَالإِكْرَامِ». رَوَاهُ مُسْلِمٌ.

[1] The Arabic words ذا الجد منك الجد mean: If Your approval and intimacy is not there, then all the grandeur, pomp and worldly possessions are useless. In another words: Whatever mundane things (i.e., wealth, progeny, honour and power) are acquired, shall not serve in the matter of salvation. Salvation will be achieved by Your mercy and blessing alone.

[2] He is nicknamed Abū Ishāq bin Mālik and was a Zuhri and a Qurashi. He was the fifth or the seventh Muslim and one of the ten to whom the entry of Paradise was promised. He is the first man to shoot in the cause of Allāh and participated in all the important battles. He opened 'Iraq for Islam and his supplications were accepted. He was short, stout and hairy. He died at Al-'Aqiq which is ten miles from Al-Madīnah and was carried on the people's shoulders up to Al-Madīnah and was buried at Al-Baqi' in the year 55 H.

[3] In Arabic, the words أرذل العمر 'enote that part of age wherein either all or some of the internal and external capabilities o a man get weakened.

[4] Showing repentance and asking for the forgiveness of Allāh right after the completion of a prayer is an indication of the fact that the prayer offered is not quite worth presenting to the Lord as long as the slave has committed innumerable trespasses and delinquencies.

[5] The Prophet ﷺ showed repentance and asked for the forgiveness of Allāh as an expression of offering thanks to Him as well as imparting an ethical insight to the people, whereas a commoner (an ordinary believer) does the same to atone for the wandering and distracting thoughts he is plagued with during his prayer.

256. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Whoever glorifies Allāh (by saying ***Subbān-Allāh***) after every ***Salāt*** (prayer)[1] thirty-three times, and praises Allāh (by saying ***Al-hamdu lillāh***) thirty-three times, and exalts Allāh (by saying ***Allāhu Akbar***) thirty-three times, those are ninety-nine in all, and says to complete a hundred: ***La ilāha ill-Allāhu, wahdahu lā sharīka lahu, lahul-mulku wa lahul-hamdu, wa Huwa 'ala kulli shai'in Qadir*** (There is nothing which deserves to be worshipped except Allāh Alone Who has no partner; to Him belongs the kingdom, to Him praise is due, and He has power over everything), his sins will be forgiven, even if they are as abundant as the foam of the sea." [Reported by Muslim]. In another narration it is mentioned: "***At-Takbīr*** (Allāh is the Most Great) is thirty-four times."

(٢٥٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنْ رَسُولِ اللهِ ﷺ قَالَ: «مَنْ سَبَّحَ اللَّهَ دُبُرَ كُلِّ صَلَاةٍ ثلاثاً وَثَلَاثِينَ، وَحَمِدَ اللَّهَ ثَلَاثاً وَثَلَاثِينَ وَكَبَّرَ اللَّهَ ثَلَاثاً وَثَلَاثِينَ، فَتِلْكَ تِسْعٌ وَتِسْعُونَ، وَقَالَ تَمَامَ المِائَةِ: «لَا إِلَهَ إِلَّا اللَّهُ، وَحْدَهُ لَا شَرِيكَ لَهُ، لَهُ المُلْكُ، وَلَهُ الحَمْدُ، وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ» غُفِرَتْ لَهُ خَطَايَاهُ وَلَوْ كَانَتْ مِثْلَ زَبَدِ البَحْرِ. رَوَاهُ مُسْلِمٌ، وَفِي رِوَايَةٍ أُخْرَى: أَنَّ التَّكْبِيرَ أَرْبَعٌ وَثَلَاثُونَ.

257. Narrated Mu'ādh bin Jabal ﷺ: Allāh's Messenger ﷺ told me, "O Mu'ādh, I will give you some advice - 'Never leave the recitation of this supplication after every prayer: O Allāh, help me to remember You, thank You, and worship You perfectly." [Ahmad, Abū Dā'ud and An-Nasā'i reported it through a strong chain of narrators].

(٢٥٧) وَعَنْ مُعَاذِ بْنِ جَبَلٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ لَهُ: «أُوصِيكَ يَا مُعَاذُ: لَا تَدَعَنَّ دُبُرَ كُلِّ صَلَاةٍ أَنْ تَقُولَ: اللَّهُمَّ أَعِنِّي عَلَى ذِكْرِكَ، وَشُكْرِكَ، وَحُسْنِ عِبَادَتِكَ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ بِسَنَدٍ قَوِيٍّ.

258. Narrated Abū Umāma[2] ﷺ: Allāh's Messenger ﷺ said, "Whoever recites ***Ayāt Al-Kursi***[3] at the end of every

(٢٥٨) وَعَنْ أَبِي أُمَامَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ قَرَأَ آيَةَ الكُرْسِيِّ

---

[1] These words represent and epitomize all the good things of this world and the Hereafter. It appears that one should make an utterance of these ***Adhkār*** (words of remembrance) after each obligatory and non-obligatory prayer, but some scholars have recommended the observance of these ***Adhkār*** after obligatory prayers. Therefore, the propriety of ***Du'a*** (supplication) after the obligatory prayer is a proven one. What the ***Ahadīth*** do not prove is the observance of a collective and congregational supplication with raised hands. One should only do the same individually by uttering the prescribed ***Adhkār***.

[2] He is Iyās bin Tha'laba Al-Balawi and an ally of Banū Hāritha of the ***Ansār***. He is a ***Sahābi*** and narrated ***Ahādīth***. He did not take part in Badr for he was nursing his mother.

[3] ***Sūrat Al-Baqarah*** (2); Verse no. 255.

obligatory prayer, nothing but death[1] will prevent him from entering Paradise."[2] An-Nasā'i reported it, and Ibn Hibbān graded it *Sahih* (authentic). At-Tabarāni has the addition: "And (*Sūrat Al-Ikhlās*) قل هو الله أحد."[3]

دُبُرَ كُلِّ صَلَاةٍ مَكْتُوبَةٍ، لَمْ يَمْنَعْهُ مِنْ دُخُولِ الجَنَّةِ إِلَّا المَوْتُ». رَوَاهُ النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَزَادَ فِيهِ الطَّبَرَانِيُّ: «وَقُلْ هُوَ اللَّهُ أَحَدٌ».

259. Narrated Mālik bin Al-Huwairith ﷺ: Allāh's Messenger ﷺ said, "Pray as you have seen me praying[4]." [Reported by Al-Bukhāri].

(٢٥٩) وَعَنْ مَالِكِ بْنِ الحُوَيْرِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «صَلُّوا كَمَا رَأَيْتُمُونِي أُصَلِّي». رَوَاهُ البُخَارِيُّ.

260. Narrated 'Imrān bin Husain ﷺ: Allāh's Messenger ﷺ said, "Pray standing and if you are unable, pray sitting and if you cannot, pray lying on your side, [otherwise pray by signs]."[5] [Reported by Al-Bukhāri, (without the final words)].

(٢٦٠) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما أَنَّ النَّبِيَّ ﷺ قَالَ: «صَلِّ قَائِماً، فَإِنْ لَمْ تَسْتَطِعْ فَقَاعِداً، فَإِنْ لَمْ تَسْتَطِعْ فَعَلَى جَنْبٍ، وَإِلَّا فَأَوْمِ». رَوَاهُ البُخَارِيُّ.

261. Narrated Jābir ﷺ: the saying of the Prophet ﷺ to a sick person who prayed on a cushion: The Prophet ﷺ threw it away and said, "Pray on the ground, if you are able to do so; otherwise, pray

(٢٦١) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ لِمَرِيضٍ - صَلَّى عَلَى وِسَادَةٍ، فَرَمَى بِهَا، - وقَالَ: «صَلِّ عَلَى الأَرْضِ إِنِ اسْتَطَعْتَ، وَإِلَّا فَأَوْمِ إِيمَاءً، وَاجْعَلْ سُجُودَكَ

[1] It means that the only thing preventing him from entering Paradise is his presence in this world, i.e. he shall enter Paradise immediately after his death.

[2] The precedence accorded to *Ayātal-Kursī* is due to the fact that it contains the Foundations of the Divine Names and Qualities (of Allāh) and that it is descriptive of His Oneness and Uniqueness, which He loves the most. *Surāt Al-Ikhlās* also carries the same attributes.

[3] *Sūrat Al-Ikhlās*; no. 112.

[4] This authentic and great *Hadīth* tells us that all the actions and sayings of the Prophet ﷺ are explanations aiming at directing and ordering us to observe prayers according to the orders given in Qur'ān and *Ahadīth* about the performance of *Salāt*. This further proves that one should meticulously follow and thoroughly pursue the ways of the Prophet ﷺ concerning prayers and each of his actions and utterances as an obligation on him. Therefore, all the actions carried out by the Prophet ﷺ and all the speech uttered by him during and regarding his prayers are obligatory on us except the ones that are proven to be otherwise by a clear-cut evidence.

[5] In case someone – even if for a reason other than illness – may not stand upright, it is permissible for him to pray in a sitting posture as one does sometimes during a train journey provided he thoroughly completes the postures of bowing and prostration. If he is not capable to do so due to sickness, he should perform it by way of gestural inclinations. If he intends to prostrate, he should bow his head further (a few degrees lower) than he does with the intention of bowing. Such is reported in the next *Hadīth* narrated by Jābir رضي الله عنه.

by gesturing signs and make your prostration lower than your bowing." [Al-Baihaqi reported it through a strong chain of narrators, but Abū Hātim regarded it as *Mauqūf* (saying of a Companion)].

أَخْفَضَ مِنْ رُكُوعِكَ». رَوَاهُ الْبَيْهَقِيُّ بِسَنَدٍ قَوِيٍّ، وَلٰكِن صَحَّحَ أَبُو حَاتِمٍ وَقْفَهُ.

Chapter 8 *SUJUD AS-SAHW*[1] AND OTHER MATTERS

٨ - بَابُ سُجُودِ السَّهْوِ وَغَيْرِهِ

262. Narrated 'Abdullāh bin Buhaina ﷺ: The Prophet ﷺ led them in the *Zuhr* prayer, and when he stood up at the end of the first two *Rak'at* and did not sit[2], the people stood up with him. When he finished the *Salāt* (prayer) and the people expected him to do the *Taslīm* (salutation), he uttered the *Takbīr* while sitting and made two prostrations before saying the *Taslīm*[3] (salutation), then he uttered the *Taslīm* (salutation). [Reported by *As-Sab'a* and this is Al-Bukhāri's wording]. In the narration of Muslim it is mentioned that, "He (ﷺ) uttered the *Takbīr* for each prostration while sitting and the people prostrated with him to make up for the sitting he had forgotten."

(٢٦٢) عَنْ عَبْدِاللهِ ابْنِ بُحَيْنَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: أَنَّ النَّبِيَّ ﷺ صَلَّى بِهِمُ الظُّهْرَ فَقَامَ فِي الرَّكْعَتَيْنِ الأُولَيَيْنِ، وَلَمْ يَجْلِسْ، فَقَامَ النَّاسُ مَعَهُ، حَتَّى إِذَا قَضَى الصَّلَاةَ، وَانْتَظَرَ النَّاسُ تَسْلِيمَهُ كَبَّرَ وَهُوَ جَالِسٌ، وَسَجَدَ سَجْدَتَيْنِ قَبْلَ أَنْ يُسَلِّمَ، ثُمَّ سَلَّمَ. أَخْرَجَهُ السَّبْعَةُ، وَهَذَا لَفْظُ الْبُخَارِيِّ. وَفِي رِوَايَةٍ لِمُسْلِمٍ: يُكَبِّرُ فِي كُلِّ سَجْدَةٍ وَهُوَ جَالِسٌ، وَسَجَدَ النَّاسُ مَعَهُ، مَكَانَ مَا نَسِيَ مِنَ الْجُلُوسِ.

[1] *Sajdatus-Sahw* (prostration due to forgetfulness) becomes compulsory if someone who is offering a prayer either adds or deletes something in it mistakenly.

[2] We must know that the translation of *Sahw* and *Nisyān* is 'forgetfulness' but *Sahw* usually implies to actions, whereas *Nisyān* usually refers to a piece of information. But both of these words are also taken as synonyms of each other. Among the scholars, no one approves of using the word *Nisyān* for the Prophet ﷺ. Hence the Prophet ﷺ never ever suffered from confusion in the matters related to preaching and propagation of the Islamic Message. How could he possibly suffer from it while Allāh Almighty is saying: سنقرئك فلا تنسى "We shall make you to recite (the Qur'ān) and you will not forget." (V. 87:6)
The righteous scholars maintain that the usage of the word *Sahw* for the Prophet ﷺ is permissible as there are references from several *Ahadīth* in this regard. All of the four famous *Imāms* agree that the situations concerning forgetfulness (*Sahw*) for the Prophet ﷺ are the proven ones. There is no objection to it; in fact, they carry several good intentions in their fold (i.e. the forgetfulness of the Prophet ﷺ).

[3] This *Hadīth* tells us that one can atone for leaving the first *Tashahhud* by performing *Sajdatus-Sahw*. Some of the scholars advocate that it should be performed before *Salām*, whereas some prefer it to be done after *Salām*. Both of these situations are proved from the

263. Narrated Abū Huraira ﷺ: The Prophet ﷺ led us in two *Rak'at* of one of the two, *Zuhr* or *'Asr* prayers, and said the *Taslīm* (salutation). He then got up and went towards a piece of wood which was at the front part of the mosque and placed his hands upon it. Abū Bakr and 'Umar were among the people, but they were afraid to speak to him. Then some of the hasty type of people came out and said, "Has the *Salāt* (prayer) been shortened?" A man whom the Prophet ﷺ called *Dhul Yadain*[1] (the long armed) asked: "Have you forgotten, O Allāh's Messenger or has the prayer been shortened?" He said, "I have neither forgotten[2] nor has it been shortened." He said, "Indeed you have forgotten.[3] " He (the Prophet ﷺ) then prayed the remaining two *Rak'at*, then said the *Taslīm* (salutation). He then uttered the *Takbīr* and prostrated similar to his normal prostration or

(٢٦٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّى النَّبِيُّ ﷺ إِحْدَى صَلاتَي العَشِيِّ رَكْعَتَيْنِ، ثُمَّ سَلَّمَ، ثُمَّ قَامَ إِلَى خَشَبَةٍ فِي مُقَدَّمِ المَسْجِدِ، فَوَضَعَ يَدَهُ عَلَيْهَا، وَفِي القَوْمِ أَبُو بَكْرٍ وَعُمَرُ، فَهَابَا أَنْ يُكَلِّمَاهُ، وَخَرَجَ سَرَعَانُ النَّاسِ فَقَالُوا: أَقَصُرَتِ الصَّلَاةُ؟ وَرَجُلٌ يَدْعُوهُ النَّبِيُّ ﷺ ذَا اليَدَيْنِ، فَقَالَ: يَا رَسُولَ اللهِ! أَنَسِيتَ أَمْ قَصُرَتِ الصَّلَاةُ؟ فَقَالَ: لَمْ أَنْسَ وَلَمْ تُقْصَرْ، قَالَ: بَلَى قَدْ نَسِيتَ، فَصَلَّى رَكْعَتَيْنِ، ثُمَّ سَلَّمَ، ثُمَّ كَبَّرَ، فَسَجَدَ مِثْلَ سُجُودِهِ أَوْ أَطْوَلَ، ثُمَّ رَفَعَ رَأْسَهُ فَكَبَّرَ، ثُمَّ وَضَعَ رَأْسَهُ فَكَبَّرَ، فَسَجَدَ مِثْلَ سُجُودِهِ أَوْ أَطْوَلَ، ثُمَّ رَفَعَ رَأْسَهُ وَكَبَّرَ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

Prophet ﷺ. The Prophet ﷺ never specified any hard and fast rule concerning it all through his life. It is mentioned in the book *Nailul-Autār* that if some omission occurs in the prayer the prostration should be performed before *Salām*. In case of any addition, it should be performed after *Salām*. Some of the scholars are of the opinion that in view of the documented evidence, the reports concerning prostration before *Salām* are more sound and proper.

[1] He is Al-Khirbaq bin 'Amr As-Sulami of Banu Sulaim tribe. He died during the caliphate of Mu'āwiya رضي الله عنه. It is also said that he died at Dhi Khashab during the caliphate of 'Umar رضي الله عنه. He had unusually longer hands, hence he was nicknamed *Dhul-Yadain*.

[2] According to my knowledge, neither I have suffered from any forgetfulness nor has there been any Divine instruction for the prayer to be shortened.

[3] The forgetfulness of the Prophet ﷺ while being in the prayer, despite the fact that he was completely and utterly steeped in a profound state of meditation while supplicating to Allāh the Almighty, may be construed as a prudently befitting measure and was in fact meant all for the good. First of all, it had an educational purpose to instruct the *Ummah* (nation) practically on the matters related to *Sahw* (forgetfulness) as to what its directives are and how to rectify it in case someone is faced with such a situation. Secondly, he wanted to instruct the *Ummah* that despite his honour, dignity and his exalted position of being superior to all the creation, he is still a human being and inherits all the human instincts such as eating, drinking, sleeping, waking up, walking around, responding to the call of nature, getting sick and becoming cured, etc. All the above human qualities are to be found in his person. He himself made a mention of this act of prudence, as the same shall follow in the *Hadīth* narrated by Ibn Mas'ūd رضي الله عنه.

longer, then raised up his head and uttered the *Takbīr.*[1] He then prostrated and uttered the *Takbir,* and the prostration was similar to his normal prostration or longer. He then raised his head and uttered the *Takbir.* [Agreed upon, and it is Bukhāri's wording].

And in the narration of Muslim: "*'Asr* prayer"; and in Abū Dā'ud: "He said, 'Has *Dhul-Yadain* spoken the truth?' Then they said 'Yes' with gesture". This is found in *Sahihain*, but with the word "*Faqālu* فقالوا"; and in another narration: "and he did not prostrate till Allāh made him certain of this (i.e. *As-Sahw*)."

وَفِي رِوَايَةٍ لِمُسْلِمٍ: «صَلَاةَ الْعَصْرِ». وَلِأَبِي دَاوُدَ: فَقَالَ: أَصَدَقَ ذُو الْيَدَيْنِ؟ فَأَوْمَئُوا أَيْ نَعَمْ. وَهِيَ فِي الصَّحِيحَيْنِ، لٰكِنْ بِلَفْظِ: «فَقَالُوا». وَفِي رِوَايَةٍ لَهُ: «وَلَمْ يَسْجُدْ حَتَّى يَقَّنَهُ اللَّهُ تَعَالَى ذَلِكَ».

264. Narrated 'Imrān bin Husain ﷺ: The Prophet ﷺ led them (the Companions ﷺ) in prayer and forgot (something). He then made two prostrations and then said the *Tashahhud* and uttered the *Taslīm* (salutation). [Reported by Abū Dā'ud, and At-Tirmidhi who graded it *Hasan* (good), and Al-Hākim who graded it *Sahih* (authentic)].

(٢٦٤) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما، أَنَّ النَّبِيَّ ﷺ صَلَّى بِهِمْ فَسَهَا، فَسَجَدَ سَجْدَتَيْنِ، ثُمَّ تَشَهَّدَ، ثُمَّ سَلَّمَ. رَوَاهُ أَبو دَاوُدَ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ، وَالحَاكِمُ، وَصَحَّحَهُ.

265. Narrated Abū Sa'īd Al-Khudri ﷺ: Allāh's Messenger ﷺ said, "When anyone of you is in doubt about his *Salāt* (prayer) and does not know how many he has prayed, three or four (*Rak'at*), he should cast aside his doubt and base his prayer on what he is sure of.[2] Then, he should perform two prostrations before *Taslīm* (salutation). If he has prayed five *Rak'at,* they will make his *Salāt* (prayer) an even

(٢٦٥) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا شَكَّ أَحَدُكُمْ فِي صَلَاتِهِ فَلَمْ يَدْرِ كَمْ صَلَّى أَثَلَاثاً أَمْ أَرْبَعاً؟ فَلْيَطْرَحِ الشَّكَّ، وَلْيَبْنِ عَلَى مَا اسْتَيْقَنَ، ثُمَّ يَسْجُدُ سَجْدَتَيْنِ قَبْلَ أَنْ يُسَلِّمَ، فَإِنْ كَانَ صَلَّى خَمْساً شَفَعْنَ لَهُ صَلَاتَهُ، وَإِنْ كَانَ صَلَّى تَمَاماً كَانَتَا تَرْغِيماً لِلشَّيْطَانِ». رَوَاهُ مُسْلِمٌ.

[1] This *Hadīth* clarifies that in case someone feels certain that he has completed his prayer, performs *Salām*, gets engaged in a conversation and then suddenly realizes his fault by recollection or someone else makes him remember about it, his prayer still remains valid provided he completes it right away.

[2] It has two meanings. Firstly, in case of doubt, one should base it on the least number, i.e., in case of being uncertain as to whether one has prayed three or four *Rak'at,* he should count it as three as this is nearest to certainty. Secondly, one should act according to what he is predominantly sure about.

number[1] for him and if he has prayed exactly four, they (i.e. two prostrations) will be humiliation for the devil." [Reported by Muslim].

(٢٦٦) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّى رَسُولُ اللهِ ﷺ، فَلَمَّا سَلَّمَ قِيلَ لَهُ: يَا رَسُولَ اللهِ أَحَدَثَ فِي الصَّلَاةِ شَيْءٌ؟ قَالَ: «وَمَا ذَاكَ؟» قَالُوا: صَلَّيْتَ كَذَا وَكَذَا، قَالَ: فَثَنَى رِجْلَيْهِ، وَاسْتَقْبَلَ القِبْلَةَ، فَسَجَدَ سَجْدَتَيْنِ، ثُمَّ سَلَّمَ، ثُمَّ أَقْبَلَ عَلَى النَّاسِ فَقَالَ: «إِنَّهُ لَوْ حَدَثَ فِي الصَّلَاةِ شَيْءٌ أَنْبَأْتُكُمْ بِهِ، وَلَكِنْ إِنَّمَا أَنَا بَشَرٌ مِثْلُكُمْ، أَنْسَى كَمَا تَنْسَوْنَ، فَإِذَا نَسِيتُ فَذَكِّرُونِي، وَإِذَا شَكَّ أَحَدُكُمْ فِي صَلَاتِهِ فَلْيَتَحَرَّ الصَّوَابَ، فَلْيُتِمَّ عَلَيْهِ، ثُمَّ لِيَسْجُدْ سَجْدَتَيْنِ». مُتَّفَقٌ عَلَيْهِ.

266. Narrated Ibn Mas'ūd ﷺ: Allāh's Messenger ﷺ offered prayer and when he said *Taslīm* (salutation), he was asked, "O Allāh's Messenger! has something new happened to the *Salāt* (prayer)?" He asked, "What is that?" They said, "You have prayed so many and so many *(Rak'at)*." He (Ibn Mas'ūd ﷺ) said, "He then bent his legs, faced the *Qiblah*, and made two prostrations and then said the *Taslīm* (salutations). Then he faced us and said, "If something new is introduced to the *Salāt* (prayer), I shall inform you but I am a human being like you,[2] I forget just as you forget; so if I forget remind me and if any of you is in doubt about his *Salāt* (prayer) he should act upon what he thinks is correct and complete his prayer in that respect and then he should make two prostrations." [Agreed upon].

وَفِي رِوَايَةٍ لِلْبُخَارِيِّ: «فَلْيُتِمَّ، ثُمَّ يُسَلِّمْ، ثُمَّ يَسْجُدْ». وَلِمُسْلِمٍ: أَنَّ النَّبِيَّ ﷺ سَجَدَ سَجْدَتَيِ السَّهْوِ بَعْدَ السَّلَامِ وَالكَلَامِ.

And in the narration of Al-Bukhāri: 'he should complete (the prayer) then he should say *Taslīm* and then perform the prostration'; and in the narration of Muslim: 'the Prophet ﷺ performed two *Sajdatus-Sahw* after *Taslīm* and talking'.

وَلِأَحْمَدَ وَأَبِي دَاوُدَ وَالنَّسَائِيِّ مِنْ حَدِيثِ عَبْدِاللهِ بْنِ جَعْفَرٍ مَرْفُوعاً: مَنْ شَكَّ فِي صَلَاتِهِ

In the narration of Ahmad, Abū Dā'ud and An-Nasā'i from the *Hadith* of 'Abdullāh bin Ja'far[3] (ﷺ) *Marfu'*

[1] It means that if one has prayed five *Rak'at*, it will become six including *Sajdatus-Sahw*. It appears from the *Hadīth* that one should base it on the least number as that is nearer to certainty.

[2] According to this reference the Prophet ﷺ had used the words " أنا بشر مثلكم – I am a human being like you." What a surprise to the people who do not see him as a human being and postulate that the statement "I am a human being like you" made in the Qur'ān aims only at silencing the polytheists; whereas the fact is that the people in question here are the believers and not the polytheists.

[3] He is Abū Ja'far 'Abdullāh bin Ja'far bin Abū Talib, his mother is Asmā' bint 'Umais. He is

(attributed to the Prophet): 'Whoever doubts about his *Salāt* (prayer), should make two prostrations after the *Taslīm* (salutations).' [Ibn Khuzaima graded it *Sahih* (authentic)].

فَلْيَسْجُدْ سَجْدَتَيْنِ بَعْدَ مَا يُسَلِّمُ». وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

267. Narrated Al-Mughira bin Shu'ba ﷺ: Allāh's Messenger ﷺ said, "When one of you doubts and stands at the end of two *Rak'at,* if he remembers while having stood up completely he should continue[1] and should not return (to the sitting position) and he should make two prostrations, but if he did not stand up straight he should sit down and there is no forgetfulness (prostration) upon him." [Reported Abū Dā'ud, Ibn Mājah, and Ad-Dāraqutni, with a weak *Sanad* (chain); the wording is Ad-Daraqutni's].

(٢٦٧) وَعَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ، قَالَ: «إِذَا شَكَّ أَحَدُكُمْ، فَقَامَ فِي الرَّكْعَتَيْنِ، فَاسْتَتَمَّ قَائِماً، فَلْيَمْضِ، وَلَا يَعُودُ، وَلْيَسْجُدْ سَجْدَتَيْنِ، فَإِنْ لَمْ يَسْتَتِمَّ قَائِماً فَلْيَجْلِسْ، وَلَا سَهْوَ عَلَيْهِ». رَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ وَالدَّارَقُطْنِيُّ، وَاللَّفْظُ لَهُ، بِسَنَدٍ ضَعِيفٍ.

268. Narrated 'Umar ﷺ: The Prophet ﷺ said, "There is no (prostrations of) forgetfulness for one[2] who is led (in prayer) by an *Imām,* but when the *Imām* forgets, both should then make prostrations due to forgetfulness." [Al-Bazzār and Al-Baihaqi reported it through a weak chain of narrators].

(٢٦٨) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «لَيْسَ عَلَى مَنْ خَلْفَ الْإِمَامِ سَهْوٌ، فَإِنْ سَهَا الْإِمَامُ فَعَلَيْهِ وَعَلَى مَنْ خَلْفَهُ». رَوَاهُ التِّرْمِذِيُّ وَالْبَيْهَقِيُّ بِسَنَدٍ ضَعِيفٍ.

269. Narrated Thawbān ﷺ: The Prophet ﷺ said, "There are two prostrations after the *Taslīm* (salutation) for each forgetfulness[3] ." [Abū Dā'ud and Ibn Mājah reported it through a weak chain of narrators].

(٢٦٩) وَعَنْ ثَوْبَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ أَنَّهُ قَالَ: «لِكُلِّ سَهْوٍ سَجْدَتَانِ بَعْدَ مَا يُسَلِّمُ». رَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ بِسَنَدٍ ضَعِيفٍ.

---

the first Muslim to be born in Abyssinia (Ethiopia) and his father came with him to Al-Madīnah in 7 H. He was amusing, pious and generous. He was the most generous among the Muslims. He died in Al-Madīnah in 80 H. at the age of 80 years.

[1] In case someone forgets to observe the first *Tashahhud* and stands up, he must go ahead and continue his prayer; and if he does not stand up straight fully, he should observe whether he is closer to the standing posture or sitting posture. If he is closer to standing posture, he should stand up and perform *Sajdatus-Sahw*. While if he is closer to the sitting posture, he must sit down, observe *Tashahhud* and need not make *Sajdatus-Sahw*.

[2] This *Hadīth* tells us that the observance of *Sajdatus-Sahw* becomes compulsory on a *Muqtadi* (the one who is being led in the prayer) only if the *Imām* forgets, and not if he himself forgets.

[3] The *Hadīth* does not imply that if one commits two or four lapses, he must observe two

270. Narrated Abū Huraira ﷺ: We prostrated with Allāh's Messenger ﷺ (as he recited these *Surah*)[1] "When the heaven split asunder"[2] and "Read in the Name of your Lord."[3] [Reported by Muslim].

(٢٧٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَجَدْنَا مَعَ رسُولِ اللهِ ﷺ فِي «إِذَا السَّمَاءُ انْشَقَّتْ» و«اقْرَأْ بِٱسْمِ رَبِّكَ». رَوَاهُ مُسْلِمٌ.

271. Narrated Ibn 'Abbās ﷺ: A prostration while reciting *Sūrat Sād*[4] is not one of the *'Azaa'im* (those which are always required)[5], but I have seen Allāh's Messenger ﷺ prostrating while reciting it. [Reported by Al-Bukhāri].

(٢٧١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: (صَ) لَيْسَتْ مِنْ عَزَائِمِ السُّجُودِ، وَقَدْ رَأَيْتُ رَسُولَ اللهِ ﷺ يَسْجُدُ فِيهَا. رَوَاهُ الْبُخَارِيُّ.

272. Narrated (Ibn 'Abbās) ﷺ: The Prophet ﷺ prostrated in *Sūrat An-Najm* (Chapter 53). [Reported by Al-Bukhāri].

(٢٧٢) وَعَنْه رَضِيَ اللهُ عَنْهُ أَنَّ النَّبِيَّ ﷺ سَجَدَ بِالنَّجْمِ. رَوَاهُ الْبُخَارِيُّ.

273. Narrated Zaid bin Thābit[6] ﷺ: I recited to the Prophet ﷺ *"An-Najm"*[7] but he did not prostrate in it.[8] [Agreed upon].

(٢٧٣) وَعَنْ زَيْدِ بْنِ ثَابِتٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَرَأْتُ عَلَى النَّبِيِّ ﷺ النَّجْمَ، فَلَمْ يَسْجُدْ فِيهَا. مُتَّفَقٌ عَلَيْهِ.

Sajdatus-Sahw for each one of his lapses. It only implies that irrespective of the number and nature of the lapses one has committed, just two prostrations suffice to atone for all of them. [Some scholars hold this *Hadith* to be acceptable. See: *Subulus-Salam*, 1/418-419, no. 319, and *Irwaa' Al-Ghaleel*, 2/47-48, no. 339].

[1] Whether *Sajdatut-Tilāwa* (prostration during the Qur'ānic recitation) falls within the category of *Mashru'* (legislated act), *Sunnah* (supererogatory) or *Wājib* (compulsory); the majority of the scholars state it as *Sunnah*, whereas Imām Abū Hanifa maintains that the same is *Wājib*. There is also a difference of opinion among the scholars as to whether or not one needs to be in a state of ritual purity to observe this prostration.

[2] *Sūrat* no. 84.

[3] *Sūrat* no. 96.

[4] *Sūrat* no. 38.

[5] According to some of the *Imāms*, this is compulsory just like other prostrations. This *Hadīth* only implies that this has not been required as an act of worship, but the same is acted upon as a reminder of the deed practiced by the Prophet Dā'ud (David) .

[6] Zaid bin Thābit is an Ansāri, a Najjāri and was nicknamed Abū Sa'id or Abū Khārija. He was the best Qur'ān scribe and most knowledgeable in the science of inheritance. He first fought in the battle of Al-Khandaq. He compiled the Qur'ān during the caliphate of Abū Bakr and copied it during the caliphate of 'Uthman. He learnt the Jewish writing in half a month by the order of the Prophet ﷺ and used to write for him in it, and he used to write and then read it. He died in Al-Madīnah in the year 45 H. It was also said that he died in a different year.

[7] *Sūrat* No. 53.

[8] This is why the majority of the scholars have regarded *Sajdatut-Tilāwa* (prostration made during the Qur'ān recitation) as a *Sunnah* (supererogatory) because the Prophet ﷺ did not observe the said prostrations regularly on all occasions. Sometimes he did, and other times he did not.

274. Narrated Khālid bin Ma'dān[1] ﷺ: *Sūrat Al-Hajj*[2] has been distinguished by two prostrations. [Abū Dā'ud reported it among *Al-Marāsil* (a broken chain after the *Tābi'i*)]. Ahmad and At-Tirmidhi reported the above *Hadīth* through a full chain of narrators from 'Uqba bin 'Aamir. It has the addition: "If anyone does not make two prostrations (when reciting *Sūrat Al-Hajj*), he should not recite it." [The chain of this *Hadīth* is *Da'if* (weak)].

(٢٧٤) وَعَنْ خَالِدِ بْنِ مَعْدَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: فُضِّلَتْ سُورَةُ الْحَجِّ بِسَجْدَتَيْنِ. رَوَاهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ، وَرَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ مَوْصُولاً مِنْ حَدِيثِ عُقْبَةَ بْنِ عَامِرٍ، وَزَادَ: «فَمَنْ لَمْ يَسْجُدْهُمَا فَلَا يَقْرَأْهَا». وَسَنَدُهُ ضَعِيفٌ.

275. Narrated 'Umar ﷺ: He said, "O people! We pass (in our recitation) verses to be prostrated at, so whoever prostrates has done the right thing, and there is no sin upon the one who does not prostrate.[3] " [Al-Bukhāri reported it] It also contains the words: 'Allāh the Most High has not made the prostration (of recitation) compulsory, unless one wishes (to do so).' [This *Hadīth* is in the *Muwatta'* of Imām Mālik].

(٢٧٥) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: يَآ أَيُّها النَّاسُ! إِنَّا نَمرُّ بِالسُّجُودِ، فَمَنْ سَجَدَ فَقَدْ أَصَابَ، وَمَنْ لَّمْ يَسْجُدْ فَلَا إِثْمَ عَلَيْهِ. رَوَاهُ الْبُخَارِيُّ.

وَفِيهِ: إِنَّ اللَّهَ تَعَالَى لَمْ يَفْرِضِ السُّجُودَ إِلَّا أَنْ نَشَآءَ. وَهُوَ فِي الْمُوَطَّإِ.

276. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ used to recite the Qur'ān to us, and when he came to a place where a prostration should be made, he uttered the *Takbīr* and prostrated and we prostrated with him.[4] [Reported by Abū Dā'ud through a chain containing some weakness].

(٢٧٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ النَّبِيُّ ﷺ يَقْرَأُ عَلَيْنَا الْقُرْآنَ، فَإِذَا مَرَّ بِالسَّجْدَةِ كَبَّرَ وَسَجَدَ، وَسَجَدْنَا مَعَهُ. رَوَاهُ أَبُو دَاوُدَ بِسَنَدٍ فِيهِ لِينٌ.

277. Narrated Abū Bakra ﷺ: Whenever the Prophet ﷺ received a matter which

(٢٧٧) وَعَنْ أَبِي بَكْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا جَاءَهُ أَمْرٌ يَسُرُّهُ خَرَّ

[1] He is Abu 'Abdullāh Al-Kalā'i from Hims (in Syria). He was among the prominent and most knowledgeable *Tābi'i* generation (who came after the *Sahāba*). He said that he met seventy Companions of the Prophet ﷺ. He died in the year 103 H. or 104 H. or 108 H.

[2] *Sūrat* no. 22

[3] This *Hadīth* is a clear evidence that *Sajdatut-Tilāwa* is not a compulsory act. 'Umar رضي الله عنه said so while addressing a gathering of the Companions of the Prophet ﷺ and none of them uttered a word about it, which in turn proved that they maintained a collective silence in regard to this matter.

[4] This tells us that the prostration is obligatory on both the reciter and the listener, on the condition that they are offering a prayer. The same also applies to *Sajdatut-Tilāwa* (prostration during the recitation) and *Sajdatush-Shukr* (prostration to express thanks).

سَاجِداً لله. رَوَاهُ الخَمْسَةُ إِلَّا النَّسَائِيَّ.

pleased him he used to prostrate to Allāh [out of thankfulness]. [Reported by *Al-Khamsa* except An-Nasā'i].

(٢٧٨) وَعَنْ عَبْدِ الرَّحْمَنِ بْنِ عَوْفٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَجَدَ النَّبِيُّ ﷺ فَأَطَالَ السُّجُودَ، ثُمَّ رَفَعَ رَأْسَهُ وَقَالَ: إِنَّ جِبرِيلَ أَتَانِي، فَبَشَّرَنِي، فَسَجَدْتُ للهِ شُكْراً. رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ الحَاكِمُ.

278. Narrated 'Abdur-Rahmān bin 'Auf[1] ﷺ: The Prophet ﷺ prostrated and prolonged the *Sajda*, he then raised his head and said, "Jibrael (Gabriel) had come and given me glad tidings, thereafter I prostrated in gratitude to Allāh." [Ahmad reported it and Al-Hākim graded it *Sahih* (authentic)].

(٢٧٩) وَعَنِ البَرَاءِ بْنِ عَازِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ بَعَثَ عَلِيّاً إِلَى اليَمَنِ، فَذَكَرَ الحديثَ. قال: فكتب عليٌّ بإسلامهم، فَلَمَّا قَرَأَ رَسُولُ اللهِ ﷺ الكِتَابَ خَرَّ سَاجِداً، شُكْراً للهِ تَعَالَى عَلَى ذَلِكَ. رَوَاهُ البَيْهَقِيُّ، وَأَصْلُهُ فِي البُخَارِيِّ.

279. Narrated Al-Barā' bin 'Azib ﷺ: The Prophet ﷺ sent 'Ali to Yemen. The narrator mentioned the complete *Hadīth*[2] . He said, "Ali sent a letter regarding their (the people of Yemen) acceptance of Islam. When Allāh's Messenger ﷺ read the letter, he prostrated in gratitude[3] to Allāh the Most High for that." [Reported by Al-Baihaqi and its basic meaning is found in *Sahih Al-Bukhāri*].

---

[1] He is called Abū Muhammad Az-Zuhri Al-Qurashi. He became a Muslim early and migrated twice to Abyssinia (Ethiopia). He took part in Badr and all the major battles. He is one of the ten promised to enter Paradise, and one of the six 'Umar رضي الله عنه had selected to appoint a *Khalifa* (caliph) after him. He gave four thousand and then forty thousand Dinar, and then five hundred loaded horses, and then five hundred camels as *Sadaqa,* during the lifetime of the Prophet ﷺ . He left a will of a garden valued at four hundred thousand for 'the Mothers of the Believers'. He died in the year 34 H. and was buried in Al-Baqi'.

[2] It is so reported that 'Ali رضي الله عنه came to Yemen along with 300 of his men. He invited them (the Yemenites) to Islam. In response to his invitation, the Yemenites attacked them with arrows. 'Ali رضي الله عنه also delivered a counterattack on them and as a result of it, 20 of their eminent activists were killed. There ensued a rift among the later, and they ran away from the battlefield. They were invited to Islam once again which they accepted. 'Ali رضي الله عنه met the Prophet ﷺ in Makkah during *Hajj* days, the same year, after his safe return from this mission.

[3] It comprises an answer to those who do not recognize the proven validity of *Sajdatush-Shukr* (prostration to express thanks).

Chapter 9
VOLUNTARY PRAYER

٩ - بَابُ صَلَاةِ التَّطَوُّعِ

280. Narrated Rabi'a bin Ka'b Al-Aslami[1] ﷺ: The Prophet ﷺ said to me, "Ask." I said, "I ask your company in Paradise." He replied, "Or something else?" I said, "That is it (i.e. that is what I desire)." He said, "Then help me to achieve this for you by devoting yourself[2] often to prostration.[3] " [Reported by Muslim].[4]

(٢٨٠) عَنْ رَبِيعَةَ بْنِ كَعْبٍ الأَسْلَمِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ لِيَ النَّبِيُّ ﷺ: «سَلْ»، فَقُلْتُ: أَسْأَلُكَ مُرَافَقَتَكَ فِي الجَنَّةِ، فَقَالَ: «أَوَ غَيْرَ ذَلِكَ؟» فَقُلْتُ: هُوَ ذَاكَ، قَالَ: «فَأَعِنِّي عَلَى نَفْسِكَ بِكَثْرَةِ السُّجُودِ». رَوَاهُ مُسْلِمٌ.

281. Narrated Ibn 'Umar ﷺ: I memorized from the Prophet ﷺ ten (voluntary) *Rak'at* – two *Rak'at* before the *Zuhr* prayer and two after it; two *Rak'at* after *Maghrib* prayer in his house, and two *Rak'at* after *'Ishā'* prayer in his house, and two *Rak'at* before the *Fajr* prayer. [Agreed upon]. Another narration of both (Al-Bukhāri and Muslim) has: 'two *Rak'at* after *Jumu'a* prayer in his house.'

(٢٨١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: حَفِظْتُ مِنَ النَّبِيِّ ﷺ عَشْرَ رَكَعَاتٍ: رَكْعَتَيْنِ قَبْلَ الظُّهْرِ، وَرَكْعَتَيْنِ بَعْدَهَا، وَرَكْعَتَيْنِ بَعْدَ المَغْرِبِ فِي بَيْتِهِ، وَرَكْعَتَيْنِ بَعْدَ العِشَاءِ فِي بَيْتِهِ، وَرَكْعَتَيْنِ قَبْلَ الصُّبْحِ. مُتَّفَقٌ عَلَيْهِ. وَفِي رِوَايَةٍ لَهُمَا: وَرَكْعَتَيْنِ بَعدَ الجُمُعَةِ فِي بَيْتِهِ.

Muslim has: 'He never prayed after the break of dawn except two light *Rak'at.*'

وَلِمُسْلِمٍ: كَانَ إِذَا طَلَعَ الفَجْرُ لَا يُصَلِّي إِلَّا رَكْعَتَيْنِ خَفِيفَتَيْنِ.

282. Narrated 'Aisha ﷺ: The Prophet ﷺ never left four *Rak'at* before the *Zuhr* prayer, and two *Rak'at* before the *Fajr* prayer[5] . [Reported by Al-Bukhāri].

(٢٨٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ النَّبِيَّ ﷺ كَانَ لَا يَدَعُ أَرْبَعاً قَبْلَ الظُّهْرِ، وَرَكْعَتَيْنِ قَبْلَ الغَدَاةِ. رَوَاهُ البُخَارِيُّ.

[1] His *Kunya* is Abū Firās Al-Madani. He was a *Sahabi* and from the Companions of *Suffa.* He was a servant of Allāh's Messenger and used to serve and accompany him in journeys and at the home. He died in the year 63 H.

[2] This tells us that if someone intends to acquire close proximity to Allāh and his Prophet ﷺ, it is imperative on him to offer *Nawafil* (voluntary prayers) in abundance.

[3] This *Hadīth* contains an evidence for those who deem the prostration to be the very best amongst the rest of the constituents of the *Salāt.*.

[4] The meaning of the *Hadīth* is, "I pray to Allāh to give you what you're asking for, and I will ask Him to give you, but since it is a big thing to ask for, you have to offer a lot of voluntary prayers so that my prayer becomes acceptable".

[5] This *Hadīth* tells us about four *Rak'at* which are to be performed as *Sunnah* (supererogatory) before the *Fard* (obligatory) ones in the *Zuhr* (noon prayer). It has earlier been mentioned through the reference of 'Abdullāh bin 'Umar رضي الله عنهما that there are two *Rak'at* to be offered prior to the obligatory prayer. As an elaboration concerning the applied

283. Narrated ('Aisha) ﷺ: The Prophet ﷺ was more particular about offering the two (optional) ***Rak'at*** at dawn than he was about offering any of the other optional prayers. [Agreed upon].

(٢٨٣) وَعَنْهَا رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: لَمْ يَكُنِ النَّبِيُّ ﷺ عَلَى شَيْءٍ مِّنَ النَّوَافِلِ أَشَدَّ تَعَاهُداً مِّنْهُ عَلَى رَكْعَتَيِ الفَجْرِ. مُتَّفَقٌ عَلَيْهِ.

Muslim has: "The two ***Rak'at*** at dawn are better than this world and what it contains."

وَلِمُسْلِمٍ: «رَكْعَتَا الفَجْرِ خَيْرٌ مِّنَ الدُّنْيَا وَمَا فِيهَا».

284. Narrated Umm Habiba[1] ﷺ the Mother of the Believers: She heard Allāh's Messenger ﷺ say, "Whoever prays twelve (voluntary) ***Rak'at*** in a day and a night, a house will be built for him in Paradise due to them (the ***Rak'at***)." [Reported by Muslim]. In another narration, it is mentioned: "Voluntarily".

(٢٨٤) وَعَنْ أُمِّ حَبِيبَةَ أُمِّ المُؤْمِنِينَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: سَمِعْتُ رَسُولَ الله ﷺ يَقُولُ: «مَنْ صَلَّى اثْنَتَيْ عَشْرَةَ رَكْعَةً فِي يَوْمٍ وَلَيْلَةٍ بُنِيَ لَهُ بِهِنَّ بَيْتٌ فِي الجَنَّةِ». رَوَاهُ مُسْلِمٌ، وَفِي رِوَايَةٍ: «تَطَوُّعاً».

At-Tirmidhi reported it similarly and added: "four ***Rak'at*** before ***Zuhr*** and two ***Rak'at*** after it and two ***Ra'kat*** after ***Maghrib*** and two after ***'Ishā'*** and two ***Rak'at*** before the ***Fajr*** prayer."

وَلِلتِّرْمِذِيِّ نَحْوُهُ وَزَادَ: أَرْبَعاً قَبْلَ الظُّهْرِ، وَرَكْعَتَيْنِ بَعْدَهَا، وَرَكْعَتَيْنِ بَعْدَ المَغْرِبِ، وَرَكْعَتَيْنِ بَعْدَ العِشَاءِ وَرَكْعَتَيْنِ قَبْلَ صَلَاةِ الفَجْرِ.

And in the narration of ***Al-Khamsa***, by her (Umm Habiba ﷺ): "Whoever prays regularly four ***Rak'at*** before and four ***Rak'at*** after the ***Zuhr*** prayer, Allāh will forbid for him (from entering) the Hell-fire."

وَلِلْخَمْسَةِ عَنْهَا: «مَنْ حَافَظَ على أَرْبَعٍ قَبْلَ الظُّهْرِ، وَأَرْبَعٍ بَعْدَهَا، حَرَّمَهُ اللَّهُ تَعَالَى عَلَى النَّارِ».

---

situation, it is stated that he (ﷺ) used to pray four ***Rak'at*** at home as an act of deference to the opening of the gates of the heavens, and two ***Rak'at Sunnah*** in the mosque. Some maintain that he (ﷺ) prayed four ***Rak'at*** at home and as to the two ***Rak'at***, which he used to offer in the mosque, these were none other than the ***Tahiyatul-Masjid*** (mosque greeting prayer). Some of them observe that both of them are ***Sunnah*** of the ***Zuhr*** (noon) prayer and that the Prophet ﷺ sometimes prayed four and sometimes prayed two only. Both are correct, but however, the four are preferable to the two. There is no difference of opinion regarding the two ***Rak'at*** of ***Fajr*** (morning) prayer as they are graded as ***Sunnat Mu'akkada*** (a ***Sunnah*** offered regularly by the Prophet ﷺ). The Prophet ﷺ is not reported to have left them even during his journeys. Therefore, it is binding on a traveler to never ever shun the ***Witr*** of night and likewise the ***Sunnah*** of the morning prayer.

[1] She is called Ramla bint Abū Sufyān and is the sister of Mu'āwiya. She become a Muslim long ago, migrated to Abyssinia (Ethiopia), and her husband 'Ubaidullāh bin Jahsh became a Christian and died there. Then, Allāh's Messenger ﷺ married her in the year 7 H. while she was there. Then, she came to Al-Madīnah with the migrants to Abyssinia (Ethiopia). She died in the year 42 H. or 44 H. or 50 H.

285. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "May Allāh have mercy on a person who prays four *Rak'at* before the *'Asr* prayer."[1] [Reported by Ahmad, Abū Dā'ud and At-Tirmidhi and the latter graded it *Hasan* (good). Also reported by Ibn Khuzaima who graded it *Sahih* (authentic)].

(٢٨٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «رَحِمَ اللَّهُ أَمْرَءًا صَلَّى أَرْبَعاً قَبْلَ العَصْرِ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالتِّرمِذِيُّ، وَحَسَّنَهُ، وَابْنُ خُزَيْمَةَ، وَصَحَّحَهُ.

286. Narrated 'Abdullāh bin Mughaffal Al-Muzani[2] ﷺ: The Prophet ﷺ said, "Pray before *Maghrib*, pray before *Maghrib*"[3] then he said at the third time, "Whoever wishes (to)". He said so, because he did not like the people to take it as a *Sunnah*.[4] [Reported by Al-Bukhāri].

(٢٨٦) وَعَنْ عَبْدِ اللهِ بْنِ مُغَفَّلٍ المُزَنِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «صَلُّوا قَبْلَ المَغْرِبِ، صَلُّوا قَبْلَ ٱلْمَغْرِبِ»، ثُمَّ قَالَ فِي الثَّالِثَةِ: لِمَنْ شَاءَ، كَرَاهِيَةَ أَنْ يَتَّخِذَهَا النَّاسُ سُنَّةً. رَوَاهُ البُخَارِيُّ.

And in the narration of Ibn Hibbān: "The Prophet ﷺ prayed two *Rak'at* before the *Maghrib* (prayer)."

وَفِي رِوَايَةٍ لابْنِ حِبَّانَ: أَنَّ النَّبِيَّ ﷺ صَلَّى قَبْلَ المَغْرِبِ رَكْعَتَيْنِ.

Muslim has reported from Anas ﷺ that he said, "We used to pray two *Rak'at* after sunset and the Prophet ﷺ used to see us, but he neither commanded nor forbade us."

وَلِمُسْلِمٍ عَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا نُصَلِّي رَكْعَتَيْنِ بَعْدَ غُرُوبِ الشَّمْسِ، وَكَانَ النَّبِيُّ ﷺ يَرَانَا، فَلَمْ يَأْمُرْنَا، وَلَمْ يَنْهَنَا.

---

[1] This *Hadīth* tells us that the practice of the four *Rak'at* being offered before *'Asr* (afternoon) prayer also existed. If someone offers them, he shall earn reward and virtue to his credit, and if not, there is no blame on him.

[2] He was among *Ashāb Ash-Shajara* (who took oath to defend the religion against Quraish at Al-Hudaibiya). He settled at Al-Madīnah and then at Basra. He was among the ten sent by 'Umar رضي الله عنه to Basra to teach the people the religion. He died in the year 60 H.

[3] There is a difference of opinion among the scholars concerning the preferability of the two *Rak'at* prior to the *Maghrib* (evening) prayer. The ones who are affirmative about the validity, infer their evidence from *Sahihain* (Bukhāri and Muslim); and and the ones who reject them, refer to the *Hadīth* of Abū Dā'ud to the effect that when 'Abdullāh bin 'Umar رضي الله عنهما was asked about the two *Rak'at* before the *Maghrib* prayer, he answered that he never saw anyone offering them during the lifetime of the Prophet ﷺ. The fact is that their authenticity is proven but they are not to be considerated as *Sunnat Mu'akkada* (regularly performed). This is because Anas رضي الله عنه, the narrator of the Prophet's *Ahadīth* reported: "Whenever the Prophet ﷺ saw us offering them, he neither ordered us to offer them nor did he instruct us to refrain from them." It is thus deduced that one can offer them as long as there is still some time left for the congregational prayer, but it is improper to delay prayers because of them.

[4] This *Hadīth* tells us that the validity and propriety of those two *Rak'at* prior to *Maghrib* prayer is proven.

287. Narrated 'Aisha ﷺ: The Prophet ﷺ used to make the two (voluntary) *Rak'at* before the *Fajr* prayer so short that I would wonder whether he recited *Al-Fatiha* (or not). [Agreed upon].

(٢٨٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْها قَالَتْ: كَانَ النَّبِيُّ ﷺ يُخَفِّفُ الرَّكْعَتَيْنِ اللَّتَيْنِ قَبْلَ صَلَاةِ الصُّبْحِ، حَتَّى إِنِّي أَقُولُ: أَقَرَأَ بِأُمِّ الكِتَابِ؟ مُتَّفَقٌ عَلَيْهِ.

288. Narrated Abū Huraira ﷺ: The Prophet ﷺ recited *Sūrat Al-Kāfirūn*,[1] and *Sūrat Al-Ikhlās*[2] in the two (voluntary) *Rak'at* of the *Fajr* (prayer). [Reported by Muslim].

(٢٨٨) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَرَأَ فِي رَكْعَتَيِ الفَجْرِ: «قُلْ يَا أَيُّهَا الكَافِرُونَ» وَ «قُلْ هُوَ اللَّهُ أَحَدٌ». رَوَاهُ مُسْلِمٌ.

289. Narrated 'Aisha ﷺ: The Prophet ﷺ used to lie down on his right side[3], after praying the two (voluntary) *Rak'at* of the *Fajr* (prayer). [Reported by Al-Bukhāri].

(٢٨٩) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ النَّبِيُّ ﷺ إِذَا صَلَّى رَكْعَتَيِ الفَجْرِ اضْطَجَعَ عَلَى شِقِّهِ الأَيْمَنِ. رَوَاهُ البُخَارِيُّ.

290. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "If any of you prays the two *Rak'at* before the dawn prayer, he should lie on his right side." [Reported by Ahmad, Abū Dā'ud and At-Tirmidhi, the latter graded it *Sahih* (authentic)].

(٢٩٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا صَلَّى أَحَدُكُمُ الرَّكْعَتَيْنِ قَبْلَ صَلَاةِ الصُّبْحِ فَلْيَضْطَجِعْ عَلَى جَنْبِهِ الأَيْمَنِ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ.

291. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "The (voluntary) night prayers are two *Rak'at*, two *Rak'at* (in pairs), and if one fears that the dawn prayer is due, he should then offer one *Rak'at* which will make what he has prayed an odd number." [Agreed upon]. The *Khamsa* reported it – graded *Sahih* (authentic) by Ibn Hibbān – with the wording: "the

(٢٩١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «صَلَاةُ اللَّيْلِ مَثْنَى مَثْنَى، فَإِذَا خَشِيَ أَحَدُكُمُ الصُّبْحَ صَلَّى رَكْعَةً وَاحِدَةً، تُوتِرُ لَهُ مَا قَدْ صَلَّى». مُتَّفَقٌ عَلَيْهِ، وَلِلْخَمْسَةِ - وَصَحَّحَهُ ابْنُ حِبَّانَ - بِلَفْظِ «صَلَاةُ اللَّيْلِ وَالنَّهَارِ مَثْنَى مَثْنَى». وَقَالَ النَّسَائِيُّ: هَذَا خَطَأٌ.

[1] *Sūrat* no. 109.

[2] *Sūrat* no. 112.

[3] There is a difference of opinion among the scholars concerning this, which is of a unique kind. Some regard the act of lying down as *Wājib* (compulsory) some see it as *Sunnah* (supererogatory), whereas others observe the same as *Mustahab* (desirable or preferable). According to Imām Nawawi's view, it is *Sunnah* which does stand to reason too. As to the report stating the non-compliance of Ibn 'Umar رضي الله عنهما with the said *Sunnah*, it is due to its being related to the mosque. The Prophet ﷺ used to lie down in his house only. Both the acts of offering the two *Rak'at* in the mosque and lying down there on the part of the Prophet ﷺ are not approved.

(voluntary) day and night prayers are two *Rak'at*, two *Rak'at* (in pairs)." An-Nasā'i said, "This is a mistake[1] ."[2]

(٢٩٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَفْضَلُ الصَّلَاةِ بَعْدَ الفَرِيضَةِ، صَلَاةُ اللَّيْلِ». أَخْرَجَهُ مُسْلِمٌ.

292. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "The most excellent prayer after that which is obligatory is the (voluntary) late night prayer." [Reported by Muslim].

(٢٩٣) وَعَنْ أَبِي أَيُّوبَ الأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «الوِتْرُ حَقٌّ عَلَى كُلِّ مُسْلِمٍ، مَنْ أَحَبَّ أَنْ يُوتِرَ بِخَمْسٍ فَلْيَفْعَلْ، وَمَنْ أَحَبَّ أَنْ يُوتِرَ بِثَلَاثٍ فَلْيَفْعَلْ، وَمَنْ أَحَبَّ أَنْ يُوتِرَ بِوَاحِدَةٍ فَلْيَفْعَلْ». رَوَاهُ الأَرْبَعَةُ إِلَّا التِّرْمِذِيَّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَرَجَّحَ النَّسَائِيُّ وَقْفَهُ.

293. Narrated Abū Ayūb Al-Ansāri ﷺ: Allāh's Messenger ﷺ said, "*Al-Witr* prayer is a duty upon every Muslim,[3] so whoever likes to offer it with five *Rak'at* let him do so and whoever likes to offer it with three let him do so, and whoever likes to offer it with one let him do so."[4] [Reported by *Al-Arba'a* except At-Tirmidhi. And Ibn Hibbān graded it *Sahih* (authentic) and An-Nasā'i held that the stronger view is that it is *Mawqūf* (saying of a companion)].

(٢٩٤) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَيْسَ الوِتْرُ بِحَتْمٍ كَهَيْئَةِ

294. Narrated 'Ali bin Abū Tālib ﷺ: The *Witr* prayer is not obligatory as the prescribed prayer is [i.e. the five daily

[1] An-Nasā'i states that the words مثنى مثنى *Salāt-ul-Lail mathna, mathna* (the night prayer is two *Rak'at* two *Rak'at*) are correct, but the words صلاة الليل والنهار مثنى مثنى (the prayer of the night time and day time are two *Rak'at* two *Rak'at*) are incorrect, i.e. the addition of the word والنهار (*wan-Nahār*) is considered to be an excess and thus erroneous (according to the view of Imām An-Nasā'i).

[2] The point of view of Imām An-Nasā'i concerning this narration and declaring it to be incorrect is insubstantial and lacking authenticity since Al-Baihaqi declares it as correct. Furthermore, Imām Muslim, by drawing on the authority of 'Ali bin 'Abdullāh Bāriqi, (the narrator of the *Ahadīth* of the Prophet ﷺ) accorded it more of the credibility and trustworthiness by approving it. Imām Bukhāri has reported eight *Ahadīth* in this regard, all of which are supportive of it. However, irrespective of the fact whether they are to be offered during the day or night, it is preferable to offer the *Nawāfil* in two *Rak'at* prayers and it is also permissible to offer in four *Rak'at* prayers.

[3] This *Hadīth* informs us that the offering of *Witr* is compulsory. The *Ahnāf* (followers of Imām Abū Hanifa) follow the same school of thought. The rest of the *Imāms* and majority of the scholars regard the same as *Sunnah*. Hence the next *Hadīth*, which is stronger in terms of chain of transmitters, approves it.

[4] According to reports, the number of *Rak'at* in *Witr* vary from one to eleven. Some scholars accord their preference to three *Rak'at*. Majority of the Companions (of the Prophet ﷺ), their followers, Imām Shafi'i, Imām Ahmad and Imām Mālik recognise and prefer only one *Rak'a*.

prayers], but it is a *Sunnah* which was established by the practice of Allāh's Messenger ﷺ. [At-Tirmidhi and An-Nasā'i reported it, who graded it *Hasan* (good). Al-Hākim graded it *Sahih* (authentic)].

ٱلْمَكْتُوبَةِ، وَلَكِنْ سُنَّةٌ سَنَّهَا رَسُولُ اللهِ ﷺ: رَوَاهُ النَّسَائِيُّ وَالتِّرمِذِيُّ وَحَسَّنَهُ، وَالحَاكِمُ وَصَحَّحَهُ.

295. Narrated Jābir ﷺ: Allāh's Messenger ﷺ prayed during the month of Ramadān. Then they (the *Sahāba)* waited for him on the following night, but he did not come out and he said, "I feared that[1] the *Witr* (prayer) might be prescribed[2] for you." [Reported by Ibn Hibbān].

(٢٩٥) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَامَ فِي شَهْرِ رَمَضَانَ، ثُمَّ انْتَظَرُوهُ مِنَ القَابِلَةِ فَلَمْ يَخْرُجْ، وَقَالَ: إِنِّي خَشِيتُ أَن يُكْتَبَ عَلَيْكُمُ الوِتْرُ. رَوَاهُ ابْنُ حِبَّانَ.

296. Narrated Khārija bin Hudhāfa[3] ﷺ: Allāh's Messenger ﷺ said, "Allāh the Exalted has given you an extra prayer which is better for you than the red camels (high breed camels)." We asked, "What is it O Allāh's Messenger." He said, "The *Witr* between the *'Ishā'* prayer and up till the break of dawn."[4] [Reported by *Al-Khamsa* except An-Nasā'i and Al-Hākim graded it *Sahih* (authentic)].

(٢٩٦) وَعَنْ خَارِجَةَ بْنِ حُذَافَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ اللَّهَ أَمَدَّكُم بِصَلَاةٍ هِيَ خَيْرٌ لَّكُمْ مِنْ حُمْرِ النَّعَمِ»، قُلْنَا: وَمَا هِيَ يَا رَسُولَ اللهِ؟ قَالَ: «الوِتْرُ، مَا بَيْنَ صَلَاةِ العِشَاءِ إِلَى طُلُوعِ الفَجْرِ». رَوَاهُ الخَمْسَةُ إِلَّا النَّسَائِيَّ، وَصَحَّحَهُ الحَاكِمُ.

[1] According to *Hadīth*, the Prophet ﷺ led the *Tarāwih* prayer in congregation three nights in his whole life and the regular observance of the same during the whole month started later on in the time of the Caliph 'Umar رضي الله عنه.

[2] This *Hadīth* describes the prayer of *Tarāwih* as *Witr* and the maximum number of *Witr Rak'at* is eleven. Be it known that the number of *Tarāwih* is also eleven *Rak'at*. It is reported from 'Aisha ﷺ that the Prophet ﷺ did not offer more than eleven *Rak'at* during Ramadān and as well as in regular days. 'Umar رضي الله عنه ordered Ubai bin Ka'b to lead eight *Rak'at*. It can thus, at the most, be said that people offered 20 *Rak'at* also during the days of 'Umar رضي الله عنه – provided that it is proven by an authentic chain of transmitters. However, there is no traceable sound *Hadīth* verifying the validity of twenty *Rak'at* of *Tarāwih*.

[3] He is a Qurashi, and an 'Adawi, who was equal to one thousand horsemen. 'Amr bin Al-'Aas رضي الله عنه appealed to 'Umar bin Al-Khattab رضي الله عنه to send him three thousand horsemen, but he sent him three men who are: Az-Zubair bin Al-'Awwām, Al-Miqdād bin Al-Aswad and Kharija. He became a *Qadi* in Egypt for 'Amr bin Al-'Aas and was killed there in Ramadān 40 H. by one of the *Khawarij* who mistook him for 'Amr bin Al-'Aas. This was when the *Khawarij* had conspired to kill 'Amr, 'Ali and Mu'āwiya .

[4] According to this *Hadīth*, the time of *Witr* stretches from *'Ishā'* and goes on until the first streak of dawn. The preferable time is the later part of the night. However, in case one is not sure whether or not he/she may be able to get up from sleep, one should offer *Witr* right

Ahmad reported something similar to the above *Hadīth* from 'Amr[1] bin Shu'aib[2] on the authority of his father who reported it on the authority of 'Amr's grandfather.

وَرَوَى أَحْمَدُ عَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ نَحْوَهُ.

297. Narrated 'Abdullāh bin Buraida[3] from his father: Allāh's Messenger ﷺ said, "The *Witr* is a duty, so he who does not offer it, is not one of us." [Reported by Abū Dā'ud with a *Laiyin* (weak) chain of narrators and Al-Hākim graded it *Sahih* (authentic)]. The above mentioned *Hadīth* has a *Shahid* (supporting narration) which is weak, reported by Ahmad from Abū Huraira.

(٢٩٧) وَعَنْ عَبْدِ اللهِ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الوِتْرُ حَقٌّ، فَمَنْ لَمْ يُوتِرْ فَلَيْسَ مِنَّا». أَخْرَجَهُ أَبُو دَاوُدَ بِسَنَدٍ لَيِّنٍ، وَصَحَّحَهُ الحَاكِمُ، وَلَهُ شَاهِدٌ ضَعِيفٌ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عِنْدَ أَحْمَدَ.

298. Narrated 'Aisha: Allāh's Messenger ﷺ did not offer more than eleven (voluntary) *Rak'at* during Ramadān nor during other than Ramadān. He offered four *Rak'at* – Do not ask about their beauty and length! [It is beyond description or imitation]. Again he would pray four *Rak'at* – Do not ask about their beauty and length! [It is beyond description or imitation]. Then he would pray three (*Rak'at* of *Witr*). 'Aisha said, "I said, O Allāh's Messenger will you sleep before you pray *Witr*?" He said, "O 'Aisha my eyes sleep, but my heart does not sleep." [Agreed upon].

(٢٩٨) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: مَا كَانَ رَسُولُ اللهِ ﷺ يَزِيدُ فِي رَمَضَانَ وَلَا فِي غَيْرِهِ عَلَى إِحْدَى عَشْرَةَ رَكْعَةً، يُصَلِّي أَرْبَعاً، فَلَا تَسْأَلْ عَنْ حُسْنِهِنَّ وَطُولِهِنَّ، ثُمَّ يُصَلِّي أَرْبَعاً، فَلَا تَسْأَلْ عَنْ حُسْنِهِنَّ وَطُولِهِنَّ، ثُمَّ يُصَلِّي ثَلَاثاً، قَالَتْ عَائِشَةُ فَقُلْتُ: يَا رَسُولَ اللهِ أَتَنَامُ قَبْلَ أَنْ تُوتِرَ؟ قَالَ: يَا عَائِشَةُ! إِنَّ عَيْنَيَّ تَنَامَانِ، وَلَا يَنَامُ قَلْبِي. مُتَّفَقٌ عَلَيْهِ.

And in another narration of Al-Bukhāri and Muslim, ('Aisha) narrated: "He used to pray ten *Rak'at* (of prayer), and making it *Witr* by one *Rak'at*, and he

وَفِي رِوَايَةٍ لَهُمَا عَنْهَا رَضِيَ اللَّهُ تَعَالَى عَنْهَا كَانَ يُصَلِّي مِنَ اللَّيْلِ عَشْرَ رَكَعَاتٍ، وَيُوتِرُ بِسَجْدَةٍ، وَيَرْكَعُ رَكْعَتَيِ الفَجْرِ، فَتِلْكَ ثَلَاثَ

after the *'Ishā'* prayer.

[1] He is Abū Ibrahim 'Amr bin Shu'aib bin 'Abdullāh bin 'Amr bin Al-'Aas As-Sahmi Al-Qurashi Al-Madani who settled at Ta'if. An-Nasā'i confirmed him reliable. He died in the year 118 H.

[2] One of the reliable *Tābi'in*. It has been said that his father Muhammad died in his childhood, so his grandfather 'Abdullāh bin 'Amr, the famous *Sahābi* brought him up. And it has been established that he actually heard the *Hadīth* from him, so it is neither *Munqati'* nor *Mursal*, but a *Muttasil* which does not go below the grade of *Hasan* (good).

[3] He is Abū Sahl the *Qadi* of Marw who was one of the most reliable and prominent *Tābi'in* of the third grade. He died in Marw in the year 115 H.

used to pray the two (*Sunnah*) *Rak'at* of *Fajr*, so that it became thirteen[1] *Rak'at*."

عَشْرَةَ.

299. Narrated ('Aisha) ؓ: Allāh's Messenger ﷺ used to pray thirteen *Rak'at* during the night, offering a *Witr* out of that with five and sitting only during the last of them. [Agreed upon].

(٢٩٩) وَعَنْهَا رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يُصَلِّي مِنَ اللَّيْلِ ثَلَاثَ عَشْرَةَ رَكْعَةً، يُوتِرُ مِنْ ذَلِكَ بِخَمْسٍ، لَا يَجْلِسُ فِي شَيْءٍ إِلَّا فِي آخِرِهَا.

300. Narrated ('Aisha) ؓ: Allāh's Messenger ﷺ offered *Witr* prayer (on different nights) at various hours, extending (from the *Ishā'* prayer) up to the last hour of the night. [Agreed upon].

(٣٠٠) وَعَنْهَا رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: مِنْ كُلِّ اللَّيْلِ قَدْ أَوْتَرَ رَسُولُ اللهِ ﷺ، فَانْتَهَى وِتْرُهُ إِلَى السَّحَرِ. مُتَّفَقٌ عَلَيْهِمَا.

301. Narrated 'Abdullāh bin 'Amr bin Al-'Aas ؓ: Allāh's Messenger ﷺ told me, "O 'Abdullāh! Do not be like so-and-so who used to be awake in the night for prayer and then gave it up." [Agreed upon].

(٣٠١) وَعَنْ عَبْدِ اللهِ بْنِ عَمْرِو بْنِ الْعَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ لِي رَسُولُ اللهِ ﷺ: «يَا عَبْدَ اللهِ! لَا تَكُنْ مِثْلَ فُلَانٍ، كَانَ يَقُومُ مِنَ اللَّيْلِ. فَتَرَكَ قِيَامَ اللَّيْلِ». مُتَّفَقٌ عَلَيْهِ.

302. Narrated 'Ali bin Abi Tālib ؓ: Allāh's Messenger ﷺ said, "O people of the Qur'ān! offer *Witr* (prayer), because Allāh is *Witr* (One)[2] and loves *Witr*." [Reported by *Al-Khamsa* and Ibn Khuzaima graded it *Sahih* (authentic)].

(٣٠٢) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَوْتِرُوا يَا أَهْلَ الْقُرْآنِ! فَإِنَّ اللَّهَ وِتْرٌ، يُحِبُّ الْوِتْرَ». رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

303. Narrated Ibn 'Umar ؓ: The Prophet ﷺ said, "Make the last of your prayer at night *Witr* (an odd number)[3]" [Agreed upon].

(٣٠٣) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «اجْعَلُوا آخِرَ صَلَاتِكُمْ بِاللَّيْلِ وِتْراً». مُتَّفَقٌ عَلَيْهِ.

---

[1] There is a difference of opinion as to whether the *Tahajjud* (night prayer) comprises of eleven or thirteen *Rak'at*. Eleven are agreed upon and thirteen are in disagreement. The fact is that the Prophet ﷺ sometimes offered eleven *Rak'at* prayer of *Tahajjud* including the *Witr* and sometimes thirteen *Rak'at*.

[2] It alludes to the Qualities of Allāh the Almighty, i.e. He is Unique in His Qualities. ليس كمثله شيء "There is nothing like (equal to) Him."

[3] According to some narrations, the Prophet ﷺ used to offer two *Rak'at* of *Nafl* after *Witr* prayers and hence is exempted from repeating the *Witr*. Some observe that one should offer two *Rak'at* of the *Nafl* prayer in the later part of night in case he offers his *Witr* during the earlier part of it. If he does the *Witr* in the later part of the night, he need not offer that *Nafl* prayer.

304. Narrated Talq bin 'Ali ﷺ: I heard Allāh's Messenger ﷺ saying, "There are no two *Witr* (prayers) during one night." [Reported by Ahmad and *Ath-Thalatha* and Ibn Hibbān graded it *Sahih* (authentic)].

(٣٠٤) وَعَنْ طَلْقِ بْنِ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: لَا وِتْرَانِ فِي لَيْلَةٍ. رَوَاهُ أَحْمَدُ وَالثَّلَاثَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

305. Narrated Ubai bin Ka'b[1] ﷺ: Allāh's Messenger ﷺ recited in *Witr* prayer *Sūrat Al-A'la*[2] (in the first *Rak'at*), *Sūrat Al-Kāfirūn* (in the second *Rak'at*) and *Sūrat Al-Ikhlās* (in the third *Rak'at*). [Reported by Ahmad, Abū Dā'ud and An-Nasā'i]. The latter added, "And he did not say the *Taslīm* (salutation) except in the last (*Rak'at*) of them."

(٣٠٥) وَعَنْ أُبَيِّ بْنِ كَعْبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُوتِرُ بِـ«سَبِّحِ اسْمَ رَبِّكَ الأَعْلَى» وَ«قُلْ يَآ أَيُّهَا الكَافِرُونَ» وَ«قُلْ هُوَ اللَّهُ أَحَدٌ» رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ وَزَادَ: وَلَا يُسَلِّمُ إِلَّا فِي آخِرِهِنَّ.

Abū Dā'ud and At-Tirmidhi report something similar from 'Aisha ﷺ that Allāh's Messenger ﷺ used to recite a *Sūrat* in every *Rak'at* and in the last (third) *Rak'at* he would recite *Qul Huwa Allahu Ahad* (*Sūrat Al-Ikhlās*) and *Al-Mu'awwidhatain*[3] .

وَلِأَبِي دَاوُدَ وَالتِّرْمِذِيِّ نَحْوُهُ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، وَفِيهِ: كُلُّ سُورَةٍ فِي رَكْعَةٍ، وَفِي الأَخِيرَةِ «قُلْ هُوَ اللهُ أَحَدٌ» وَ«الْمُعَوِّذَتَيْنِ».

306. Narrated Abū Sa'īd Al-Khudri ﷺ: The Prophet ﷺ said, "Offer *Witr* prayer before it is morning." [Reported by Muslim].

(٣٠٦) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ: «أَوْتِرُوا قَبْلَ أَنْ تُصْبِحُوا». رَوَاهُ مُسْلِمٌ.

Ibn Hibbān has: 'whosoever reaches the dawn, and he did not offer *Witr*, then there is no *Witr* for him.'[4]

وَلِابْنِ حِبَّانَ: مَنْ أَدْرَكَ الصُّبْحَ وَلَمْ يُوتِرْ، فَلَا وِتْرَ لَهُ.

[1] He is an Ansāri a Najjāri and Khazraji and was nicknamed Abū Al-Mundhir. He was the master of the Qur'ān scholars and one of the scribes of the *Wahy* (the Qur'ānic revelation). He was also one of those who had collected the Qur'ān and gave *Fatwa* (legal verdict) during the lifetime of Allāh's Messenger ﷺ. He participated in the second 'Aqaba, Badr and the battles that followed. The year of his death has been disagreed on as being 19 H., 20 H., 22 H., 30 H., 32 H., or 33 H.

[2] *Sūrat* no. 87.

[3] *Sūrat* no. 113, 114.

[4] This *Hadīth* tells us that the time of *Witr* ends at the beginning of dawn and as long the time is gone, they have not been offered in accordance with the Prophet's *Sunnah* and this is what this *Hadīth* implies. It does not mean that if one could not incidentally offer the *Witr* until morning, he should not offer it at all. An incident concerning one of the Companions of the Prophet ﷺ is reported in a *Hadīth* stating that once he slept and got up very late. He sent out his slave to ascertain whether or not the congregational prayer had been offered by

307. Narrated (Abū Sa'īd Al-Khudri) ﷺ: Allāh's Messenger ﷺ said, "Whoever oversleeps and misses the *Witr*, or forgets it, should pray (when he awakens) in the morning[1] or when he remembers." [Reported by *Al-Khamsa* except An-Nasā'i].

(٣٠٧) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ نَامَ عَنِ الوِتْرِ أَوْ نَسِيَهُ، فَلْيُصَلِّ إِذَا أَصْبَحَ أَوْ ذَكَرَ». رَوَاهُ الخَمْسَةُ إِلَّا النَّسَائِيَّ.

308. Narrated Jābir ﷺ: Allāh's Messenger ﷺ said, "If anyone is afraid that he may not get up in the latter part of the night, he should offer *Witr* in the first part of it; and if anyone expects to get up in the last part of it, he should offer *Witr* at the end of the night, for prayer at the end of the night is witnessed (by the angels) and that is preferable." [Reported by Muslim].

(٣٠٨) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ خَافَ أَنْ لَّا يَقُومَ مِنْ آخِرِ اللَّيْلِ فَلْيُوتِرْ أَوَّلَهُ، وَمَنْ طَمِعَ أَنْ يَّقُومَ آخِرَهُ فَلْيُوتِرْ آخِرَ اللَّيْلِ، فَإِنَّ صَلَاةَ آخِرِ اللَّيْلِ مَشْهُودَةٌ، وَذَلِكَ أَفْضَلُ». رَوَاهُ مُسْلِمٌ.

309. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ said, "When the dawn breaks, then the time of all night prayers including the *Witr* is over, so observe the *Witr* before dawn." [Reported by At-Tirmidhi].

(٣٠٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «إِذَا طَلَعَ الفَجْرُ، فَقَدْ ذَهَبَ وَقْتُ كُلِّ صَلَاةِ اللَّيْلِ، والوِتْرِ، فَأَوْتِرُوا قَبْلَ طُلُوعِ الفَجْرِ». رَوَاهُ التِّرْمِذِيُّ.

310. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ used to pray four[2] *Rak'at* in *Duha* prayer and increase (the number of *Rak'at*) as much as Allāh willed." [Reported by Muslim].

(٣١٠) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يُصَلِّي الضُّحَى أَرْبَعاً، وَيَزِيدُ مَا شَاءَ اللَّهُ. رَوَاهُ مُسْلِمٌ.

---

that time. The slave came back answering in affirmative. Upon knowing this, he offered *Witr* first, then *Sunnah*, and then the *Fard* (obligatory) prayer of the morning. It is thus known that if someone could not offer *Witr* during the specified time limit, he may offer them as *Qada* (missed) prayers later on. The Prophet ﷺ vigorously emphasized that one must offer *Witr* prayer at the specified time without fail, and the ones whom he thought may not get up early enough in the morning, he used to instruct them that they should offer *Witr* at night. Hence he instructed Abū Huraira رضي الله عنه, that he must offer his *Witr* at night.

[1] One should know that should someone miss a prayer out of a sincere oblivion or due to having fallen asleep, he shall not be brought to account in both these cases; and also that he shall get an equal amount of reward as if he had offered a prayer on time. However, it is prohibited to go to sleep at such a time when the time of a certain prayer is about to approach. In case such a thing happens inadvertently and beyond one's capability and control, one shall not be blamed for it.

[2] Let it be known that *Ishrāq*, *Salātul-Awwabīn* and *Duha* are different names that stand for identically the same forenoon prayer. The time of this prayer starts with the sunrise and goes on until one-fourth of the day. The least number of *Rak'at* of *Duha* prayer are two and the maximum are twelve. The preferable among them are four which is supported and approved by the *Ahadīth* of the Prophet ﷺ. It may also be remembered that this prayer is a *Sunnah* of

In another narration of Muslim from her: ('Aisha) ﷺ was asked, "Did Allāh's Messenger ﷺ use to offer the *Duha* prayer?" She replied, "No, unless he came back from a journey."

وَلَهُ عَنْهَا أَنَّهَا سُئِلَتْ: هَلْ كَانَ رَسُولُ اللهِ ﷺ يُصَلِّي الضُّحَى؟ قَالَتْ: لَا إِلَّا أَنْ يَجِيءَ مِن مَغِيبِهِ.

In yet another narration of Muslim from her: ('Aisha) ﷺ said, "I have never seen Allāh's Messenger ﷺ offering *Duha* prayer, yet I offer it.[1] "

وَلَهُ عَنْهَا: مَا رَأَيْتُ رَسُولَ اللهِ ﷺ يُصَلِّي سُبْحَةَ الضُّحَى قَطُّ، وَإِنِّي لأُسَبِّحُهَا.

311. Narrated Zaid bin Arqam ﷺ: Allāh's Messenger ﷺ said, "The prayer of those who are penitent is offered when the young weaned camels feel the heat of the sand[2] ." [Reported by At-Tirmidhi].

(٣١١) وَعَنْ زَيْدِ بْنِ أَرْقَمَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «صَلَاةُ الأَوَّابِينَ حِينَ تَرْمَضُ الفِصَالُ». رَوَاه التِّرْمِذِيُّ.

312. Narrated Anas ﷺ : Allāh's Messenger ﷺ said, "Whoever prays twelve *Rak'at* of *Duha,* Allāh will build a castle for him in Paradise." [Reported by At-Tirmidhi who graded it *Gharib* (reported by a single narrator)].

(٣١٢) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ صَلَّى الضُّحَى ثِنْتَيْ عَشْرَةَ رَكْعَةً، بَنَى اللَّهُ لَهُ قَصْراً فِي الجَنَّةِ». رَوَاهُ التِّرْمِذِيُّ، وَاسْتَغْرَبَهُ.

313. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ entered my house and prayed eight *Rak'at* of *Duha* prayer. [Reported by Ibn Hibbān in his *Sahih*].

(٣١٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: دَخَلَ رَسُولُ اللهِ ﷺ بَيْتِي، فَصَلَّى الضُّحَى ثَمَانِيَ رَكَعَاتٍ. رَوَاهُ ابْنُ حِبَّانَ فِي صَحِيحِهِ.

Chapter 10 PRAYER IN CONGREGATION AND THE IMAMATE

١٠ - بَابُ صَلَاةِ الجَمَاعَةِ وَالإِمَامَةِ

314. Narrated 'Abdullah bin 'Umar ﷺ: Allāh's Messenger ﷺ said, "The prayer offered in congregation is twenty-seven[3] degrees more rewardable than

(٣١٤) عَنْ عَبْدِ اللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّ رَسُولَ اللهِ ﷺ قَالَ: صَلَاةُ الجَمَاعَةِ أَفْضَلُ مِنْ صَلَاةِ الفَذِّ بِسَبْعٍ وَعِشْرِينَ دَرَجَةً».

former Messengers as they used to offer it during their times. Hence, this prayer is a *Sunnah* as well as being *Mustahab* (desirable). As to the matter of this prayer being called a *Bid'a* (innovation) by 'Umar رضي الله عنه, it only alludes to the fact that if someone develops a habit of continually offering it, it may be regarded as an innovation, as the Prophet ﷺ did not always offer it.

[1] Though this *Hadīth* and the two preceding it seem to contradict one another, they however indicate that *Duha* is a voluntary prayer as confirmed by the *Hadīth* scholars.

[2] This *Hadīth* indicates that the best time of *Duha* prayer is just before noon.

[3] In the forthcoming narrations, the reward is reported to be as great as 25 times. It

a prayer offered by a single person." [Agreed upon].

مُتَّفَقٌ عَلَيْهِ.

Both Al-Bukhāri and Muslim have also reported through Abū Huraira (ﷺ): "Twenty-five degrees (more)." Likewise, Al-Bukhāri reported from Abū Sa'īd Al-Khudri: "He (ﷺ) said (the word) *Daraja* (degree)."

وَلَهُمَا عَنْ أَبِي هُرَيْرَةَ: «بِخَمْسٍ وَعِشْرِينَ جزءًا» وَكَذَا لِلْبُخَارِيِّ عَنْ أَبِي سَعِيدٍ، وَقَالَ: «دَرَجَةً».

315. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "By Him in Whose Hand my soul is, I have thought of giving orders for fuel wood to be gathered, then giving orders for *Salāt* (prayer) and having the *Adhān* called, then ordering a man to lead the people (in prayer), then going off to some people (men) who are not present at the prayer and burning down[1] their houses upon them. By Him in Whose Hand my soul is, if one of them knew he would find a fat meaty bone or two fine sheep hooves he would attend the *'Ishā'* (evening prayer)." [Agreed upon, and the wording is that of Al-Bukhāri].

(٣١٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «وَالَّذِي نَفْسِي بِيَدِهِ، لَقَدْ هَمَمْتُ أَنْ آمُرَ بِحَطَبٍ فَيُحْتَطَبَ، ثُمَّ آمُرَ بِالصَّلَاةِ فَيُؤَذَّنَ لَهَا، ثُمَّ آمُرَ رَجُلًا فَيَؤُمَّ النَّاسَ، ثُمَّ أُخَالِفَ إِلَى رِجَالٍ لَا يَشْهَدُونَ الصَّلَاةَ فَأُحَرِّقَ عَلَيْهِمْ بُيُوتَهُمْ، وَالَّذِي نَفْسِي بِيَدِهِ لَوْ يَعْلَمُ أَحَدُهُمْ أَنَّهُ يَجِدُ عَرْقاً سَمِيناً، أَوْ مِرْمَاتَيْنِ حَسَنَتَيْنِ لَشَهِدَ الْعِشَاءَ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

316. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said, "The most burdensome prayers for hypocrites[2] are the *'Ishā'* and the *Fajr* prayers and if they knew what (rewards) these (prayers) contain, they would have come to them (in the mosques), even though they had to crawl on their knees." [Agreed upon].

(٣١٦) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَثْقَلُ الصَّلَاةِ عَلَى الْمُنَافِقِينَ صَلَاةُ الْعِشَاءِ وَصَلَاةُ الْفَجْرِ، وَلَوْ يَعْلَمُونَ مَا فِيهِمَا لَأَتَوْهُمَا وَلَوْ حَبْواً». مُتَّفَقٌ عَلَيْهِ.

---

depends on the caliber of the one offering the prayer. The one who is highly graded acquires it 27 times more and the one who is comparatively lower-graded, is only eligible for 25 times more. [The scholars have offered a number of explanations for this difference in number].

[1] We are informed through this *Hadīth* that offering of a prayer in congregation is *Fard 'Ain* (individual duty)." Had it been merely *Fard Kifāya* (collective duty) or *Sunnat Mu'akkada* (regularly practiced), the Prophet ﷺ would not have used such harsh words for the people who shun attending congregational prayers.

[2] All of the prayers are a burden upon the hypocrite, except that the 'Isha and Fajr prayers are the most difficult. This is because the hypocrite attends the mosque merely for the purpose of being seen, while he does not believe in the promised reward for the worship of Allah. Hence, the prayer at these two times of darkness, when he will not be seen – 'Isha, when one normally rests, and Fajr, when one normally is enjoying sleep – is the most difficult to attend in the mosque.

317. Narrated (Abū Huraira) ﷺ: A blind[1] man came to the Prophet ﷺ and said, "O Messenger of Allāh, I have no guide to take me to the mosque." He (the Prophet ﷺ) therefore permitted him (to pray at his house), then when the man turned away the Prophet ﷺ called him and asked, "Can you hear the *Adhān* (call) for prayer?" He answered, "Yes". He (the Prophet ﷺ) said, "Then respond to it." [Reported by Muslim].

(٣١٧) وَعَنْهُ قَالَ: أَتَى النَّبِيَّ ﷺ رَجُلٌ أَعْمَى فَقَالَ: يَا رَسُولَ اللهِ! إِنَّهُ لَيْسَ لِي قَائِدٌ يَقُودُنِي إِلَى الْمَسْجِدِ، فَرَخَّصَ لَهُ، فَلَمَّا وَلَّى دَعَاهُ فَقَالَ: «هَلْ تَسْمَعُ النِّدَاءَ بِالصَّلَاةِ؟» قَالَ: نَعَمْ، قَالَ: «فَأَجِبْ». رَوَاهُ مُسْلِمٌ.

318. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "Whoever hears[2] the call for prayer and and does not come (to the mosque for prayer), his prayer will not be accepted from him, unless he has a (legitimate) excuse." [Reported by Ibn Mājah, Ad-Dāraqutni, Ibn Hibbān and Al-Hākim. Its chain of narration meets Muslim's conditions, but some *Hadīth* scholars held that the stronger view is that it is *Mawqūf* (saying of a Companion)].

(٣١٨) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ سَمِعَ النِّدَاءَ فَلَمْ يَأْتِ فَلَا صَلَاةَ لَهُ إِلَّا مِنْ عُذْرٍ». رَوَاهُ ابْنُ مَاجَهْ وَالدَّارَقُطْنِيُّ وَابْنُ حِبَّانَ وَالحَاكِمُ، وَإِسْنَادُهُ عَلَى شَرْطِ مُسْلِمٍ، لَكِن رَجَّحَ بَعْضُهُمْ وَقْفَهُ.

319. Narrated Yazīd bin Al-Aswad[3] ﷺ: He offered the morning prayer with Allāh's Messenger ﷺ and when Allāh's Messenger ﷺ finished his prayer, he saw two men who had not prayed with him. He ordered them to be brought and they were brought trembling[4]

(٣١٩) وَعَنْ يَزِيدَ بْنِ الأَسْوَدِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ صَلَّى مَعَ رَسُولِ اللهِ ﷺ صَلَاةَ الصُّبْحِ، فَلَمَّا صَلَّى رَسُولُ اللهِ ﷺ، إِذَا هُوَ بِرَجُلَيْنِ لَمْ يُصَلِّيَا، فَدَعَا بِهِمَا، فَجِيءَ بِهِمَا، تُرْعَدُ فَرَائِصُهُمَا، فَقَالَ لَهُمَا: «مَا مَنَعَكُمَا أَنْ

[1] This blind person was none other than 'Abdullāh bin Umm Maktum. After the instructions of the Prophet ﷺ, he attended the mosque with such a constant regularity that he was at last appointed a *Mu'adhdhin* (the call-maker for prayer). As long as a handicapped person is ordered strictly to attend the congregational prayer, what about those who fail to attend congregational prayers without any excuse? The prayer of a handicapped person is acceptable at home, but he too does not get the reward of congregation.

[2] This *Hadīth* shows that it is obligatory for one who hears the *Adhān* (call to prayer) to respond, by attending the prayer in the mosque. As long as one has heard it, there is no excuse to be absent. Other excuses are: a hurricane, a rainfall, an extreme hunger, defecation, urination and suffering from sickness, etc., which are acceptable excuses for not joining the congregational prayer.

[3] He is Abu Jābir As-Sawāi Al-'Aamirī who was an ally of Quraish. He was a *Sahābi* who settled at Ta'if and this is the only *Hadith* from him by his son Jābir.

[4] Their bodies started quivering (a tremor seized them) due to a tremendous amount of awe and fear inspired by the personality of the Prophet ﷺ as the same normally happens

with fear. He asked them what had prevented you from praying with us?" They said, "We had already prayed at our homes." He said, "Don't do so! If you pray at your homes and then you come while the *Imām* has not yet performed the prayer, you must pray with him, and it will be an voluntary prayer for you." [Reported by Ahmad – with his wording – and *Ath-Thalātha*. At-Tirmidhi and Ibn Hibbān graded it *Sahih* (authentic)].

تُصَلِّيَا مَعَنَا»؟ قَالَا: قَدْ صَلَّيْنَا فِي رِحَالِنَا، قَالَ: «فَلَا تَفْعَلَا، إِذَا صَلَّيْتُمَا فِي رِحَالِكُمَا ثُمَّ أَدْرَكْتُمَا الإِمَامَ وَلَمْ يُصَلِّ فَصَلِّيَا مَعَهُ، فَإِنَّهَا لَكُمَا نَافِلَةٌ». رَوَاهُ أَحْمَدُ، وَاللَّفْظُ لَهُ، وَالثَّلَاثَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

320. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "The *Imām* has been appointed to be followed (in the congregational prayers). So, when he utters the *Takbīr*, utter the *Takbīr* too, and do not utter the *Takbīr* until he utters it. When he bows, you should bow, and do not bow until he bows. When he says, "Allāh listens to him who praises him," say, "O Allāh, our *Rabb*, to you is the praise." When he prostrates, you prostrate; and do not prostrate until he prostrates. If he prays standing, pray standing, and if he prays sitting, all of you pray sitting."[1] [Reported by Abū Dā'ud and the wording is his; and its basic meaning is in the *Sahihain* (of Al-Bukhāri and Muslim)].

(٣٢٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّمَا جُعِلَ الإِمَامُ لِيُؤْتَمَّ بِهِ، فَإِذَا كَبَّرَ فَكَبِّرُوا، وَلَا تُكَبِّرُوا حَتَّى يُكَبِّرَ، وَإِذَا رَكَعَ فَارْكَعُوا، وَلَا تَرْكَعُوا حَتَّى يَرْكَعَ، وَإِذَا قَالَ: «سَمِعَ اللَّهُ لِمَنْ حَمِدَهُ» فَقُولُوا: «اللَّهُمَّ رَبَّنَا لَكَ الحَمْدُ» وَإِذَا سَجَدَ فَاسْجُدُوا، وَلَا تَسْجُدُوا حَتَّى يَسْجُدَ، وَإِذَا صَلَّى قَائِماً فَصَلُّوا قِيَاماً، وَإِذَا صَلَّى قَاعِداً فَصَلُّوا قُعُوداً أَجْمَعِينَ». رَوَاهُ أَبُو دَاوُدَ، وَهَذَا لَفْظُهُ، وَأَصْلُهُ فِي الصَّحِيحَيْنِ.

321. Narrated Abū Sa'īd Al-Khudri ﷺ: When Allāh's Messenger ﷺ saw a tendency among his Companions of going to the back he said, "Come forward and follow my lead and let those behind you follow you."[2] [Reported by Muslim].

(٣٢١) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ رَأَى فِي أَصْحَابِهِ تَأَخُّراً، فَقَالَ: «تَقَدَّمُوا، فَأْتَمُّوا بِي، وَلْيَأْتَمَّ بِكُمْ مَنْ بَعْدَكُمْ». رَوَاهُ مُسْلِمٌ.

---

due to a shocking fright.

[1] This ruling now stands cancelled. The Prophet ﷺ did lead the prayer in a sitting posture when he suffered from the fatal illness pursuant to which he passed away, while those following him offered the prayer in the normal standing position.

[2] This *Hadīth* may be cited as an evidence concerning the *Muqtadi* (followers in a prayer) who may see an *Imām*, but cannot possibly hear him. Such followers must pursue other followers (who are ahead of them in line). We are also enlightened about the fact that the

322. Narrated Zaid bin Thābit ﷺ: Allāh's Messenger ﷺ made a small room of a mat [i.e. he used it to designate a space for prayer] and prayed inside it. The people followed him, and they came to pray behind him.[1] The narrator mentioned the rest of the *Hadīth*, and it contains the words: "The most excellent prayer of a person is (that which he prays) in his house except that which is prescribed (the five congregational prayers)." [Agreed upon].

(٣٢٢) وَعَنْ زَيْدِ بْنِ ثَابِتٍ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ قَالَ: ٱحْتَجَرَ رَسُولُ اللهِ ﷺ حُجْرَةً مُخَصَّفَةً، فَصَلَّى فِيهَا، فَتَتَبَّعَ إِلَيْهِ رِجَالٌ، وَجَاءُوا يُصَلُّونَ بِصَلَاتِهِ، ٱلْحَدِيثَ. وَفِيهِ: «أَفْضَلُ صَلَاةِ المَرْءِ فِي بَيْتِهِ، إِلَّا المَكْتُوبَةَ». مُتَّفَقٌ عَلَيْهِ.

323. Narrated Jābir ﷺ: Mu'ādh bin Jabal ﷺ led his companions in the *Al-'Isha* (night prayer) and prolonged it for them. Upon this the Prophet ﷺ said to him, "O Mu'ādh, do you want to become a *Fattan*[2] ? When you lead people in prayers[3] , recite *Ash-Shamsi wa duhāhā*[4] , *Sabbihisma Rabbikal-A'la*[5] , *Iqra' Bismi Rabbika*[6] and *Wal-Laili idha yaghshā*[7] ." [Agreed upon. And the wording is from Muslim].[8]

(٣٢٣) وَعَنْ جَابِرٍ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ قَالَ: صَلَّى مُعَاذٌ بِأَصْحَابِهِ العِشَاءَ، فَطَوَّلَ عَلَيْهِمْ، فَقَالَ النَّبِيُّ ﷺ: «أَتُرِيدُ أَنْ تَكُونَ يَا مُعَاذُ فَتَّاناً؟ إِذَا أَمَمْتَ النَّاسَ فَاقْرَأْ «بِالشَّمْسِ وَضُحَاهَا» وَ«سَبِّحِ اسْمَ رَبِّكَ الأَعْلَى» وَ«اَقْرَأْ بِاسْمِ رَبِّكَ» «وَاللَّيْلِ إِذَا يَغْشَى» مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

front row is the most preferable one and one should eagerly strive for its occupancy, and that the second row should not be distant from the first row, and similarly that the first row should not be distant from the *Imām*.

[1] This *Hadīth* specifies that if there exists a wall or partition or some other distance between the *Imām* and his followers, the prayer still remains valid. Some people do not subscribe to the contents of this *Hadīth* but it's validity should suffice to convince them.

[2] Meaning: "By lengthening the recitation, do you want to inflict pain upon the people who are being led by you, thereby weaning them off the habit of attending congregational prayers?"

[3] This *Hadīth* informs us that an *Imām*, during his prayer, should not lengthen his recitation to such an extent that it should get on the nerves of the followers causing them to shun the congregational prayers. Another *Hadīth* following this one states the reason for not lengthening the recitation. However, it should not be shortened to such a degree wherein one could not even complete the constituents of a prayer. The proper method is that the prayer should be led in a light and moderate way according to the *Sunnah* of the Prophet ﷺ .

[4] *Sūrat Ash-Shams*, no. 91.

[5] *Sūrat Al-A'la*, no. 87

[6] *Sūrat Al-'Alaq*, no. 96.

[7] *Sūrat Al-Lail*, no. 92.

[8] Another *Hadīth* reports that Mu'ādh رضي الله عنه first used to offer his prayers behind the Prophet ﷺ , then offered his *Nafl* (voluntary prayers) and then used to lead the prayer in

324. Narrated 'Aisha ﵂ regarding Allāh's Messenger ﷺ leading the people in *Salat* (prayer) during his illness. She said, "He came and sat on the left side of Abū Bakr (﵁). So he (ﷺ) was leading the people in prayer while sitting and Abū Bakr standing. Abū Bakr was following the prayer of the Prophet ﷺ , and the people were following the prayer of Abū Bakr." [Agreed upon].

(٣٢٤) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، فِي قِصَّةِ صَلَاةِ رَسُولِ اللهِ ﷺ بِالنَّاسِ وَهُوَ مَرِيضٌ، قَالَتْ: فَجَاءَ حَتَّى جَلَسَ عَنْ يَسَارِ أَبِي بَكْرٍ، فَكَانَ يُصَلِّي بِالنَّاسِ جَالِساً، وَأَبُو بَكْرٍ قَائِماً، يَقْتَدِي أَبو بَكْرٍ بِصَلَاةِ النَّبِيِّ ﷺ، وَيَقْتَدِي النَّاسُ بِصَلَاةِ أَبِي بَكْرٍ. مُتَّفَقٌ عَلَيْهِ.

325. Narrated Abū Huraira ﵁: The Prophet ﷺ said, "When one of you leads the people in prayer he should be brief, for among them are the young and the old, the weak and those who have needs to attend to. But if he prays by himself he may pray as he wishes." [Agreed upon].

(٣٢٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «إِذَا أَمَّ أَحَدُكُمُ النَّاسَ فَلْيُخَفِّفْ، فَإِنَّ فِيهِمُ الصَّغِيرَ وَالكَبِيرَ والضَّعِيفَ وَذَا الحَاجَةِ، فَإِذَا صَلَّى وَحْدَهُ فَلْيُصَلِّ كَيْفَ شَاءَ». مُتَّفَقٌ عَلَيْهِ.

326. Narrated 'Amr bin Salima[1] (﵁) My father said, "I have come from the true Prophet ﷺ, so when the time of *Salat* (prayer) comes one of you should announce the *Adhān* and the one of you who knows the Qur'ān most should be your *Imām.*" He ('Amr) said, "They looked around and there was no one who knew the Qur'ān more than I.[2] So they put me forward in front of them and I was only six or seven[3] years old." [Reported by Al-Bukhāri, Abū Dā'ud and An-Nasāi'].

(٣٢٦) وَعَنْ عَمْرِو بْنِ سَلِمَةَ قَالَ: قَالَ أَبِي: جِئْتُكُمْ مِنْ عِنْدِ النَّبِيِّ ﷺ حَقّاً، قَالَ: «فَإِذَا حَضَرَتِ الصَّلَاةُ فَلْيُؤَذِّنْ أَحَدُكُمْ، وَلْيَؤُمَّكُمْ أَكْثَرُكُمْ قُرْآناً»، قَالَ: فَنَظَرُوا، فَلَمْ يَكُنْ أَحَدٌ أَكْثَرَ مِنِّي قُرْآناً فَقَدَّمُونِي، وَأَنَا ابْنُ سِتٍّ أَوْ سَبْعِ سِنِينَ. رَوَاهُ البُخَارِيُّ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ.

327. Narrated Ibn Mas'ūd ﵁: Allāh's Messenger ﷺ said, "The one who

(٣٢٧) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «يَؤُمُّ القَوْمَ

---

another mosque. This explains that one could offer his *Fard* (obligatory prayers) behind the *Imām* who is offering the *Nafl* (voluntary prayers).

[1] He is Abū Yazid or Abū Buraid. He came with his father to the Prophet ﷺ. It is also said that he did not come with his father. He belonged to the tribe of Jurum and settled in Basra.

[2] This *Hadīth* explains that the most eligible person to be an *Imām* is the one who possesses more knowledge of *Shari'a* (Islamic law). If two people posses the same amount of knowledge, then the more pious one should lead the prayer. Similar criteria have also been mentioned in the narration of Ibn Mas'ūd.

[3] This explains that a boy, who has not yet reached his puberty, may lead the prayer of an adult, or a group of adults, in case he happens to be more knowledgeable than those adults in the matter concerning and related to *Shari'a* (Islamic law).

knows [by recitation and memorization] the Book of Allāh most should be the *Imām* of the people. If they are equal in the recitation, then the one who knows the *Sunnah* most and if they are equal in the *Sunnah* then the earliest of them to emigrate (to Al-Madīnah) and if they are equal in the emigration then the oldest among them in Islam. In another narration it has "agewise". And no man should lead another in prayer in his domain or sit in his place of honor without his permission." [Reported by Muslim].

أَقْرَؤُهُمْ لِكِتَابِ اللهِ تَعَالَى، فَإِنْ كَانُوا فِي
الْقِرَاءَةِ سَوَاءً فَأَعْلَمُهُمْ بِالسُّنَّةِ، فَإِنْ كَانُوا فِي
السُّنَّةِ سَوَاءً فَأَقْدَمُهُمْ هِجْرَةً، فَإِنْ كَانُوا فِي
الْهِجْرَةِ سَوَاءً فَأَقْدَمُهُمْ سِلْماً - وَفِي رِوَايَةٍ:
«سِنّاً» - وَلَا يَؤُمَّنَّ الرَّجُلُ الرَّجُلَ فِي سُلْطَانِهِ،
وَلَا يَقْعُدْ فِي بَيْتِهِ عَلَى تَكْرِمَتِهِ، إِلَّا بِإِذْنِهِ». رَوَاهُ
مُسْلِمٌ.

328. Ibn Mājah reported the following from Jābir's narration, "A woman is never to lead a man in prayer, neither a bedouin (desert Arab) to lead an emigrant, nor a sinner to lead a believer." [Its chain of narrators is *Wāhin* (extremely weak)].

(٣٢٨) وَلِابْنِ مَاجَهْ مِنْ حَدِيثِ جَابِرٍ رَضِيَ
اللَّهُ تَعَالَى عَنْهُ: «وَلَا تَؤُمَّنَّ امْرَأَةٌ رَجُلاً، وَلَا
أَعْرَابِيٌّ مُهَاجِراً، وَلَا فَاجِرٌ مُؤْمِناً»، وَإِسْنَادُهُ
وَاهٍ.

329. Narrated Anas ﷺ: Allāh's Messenger ﷺ said, "Stand close together in your rows[1], bring them (the rows) near one another, and stand neck to neck (in straight lines)." [Reported by Abū Dā'ud and An-Nasā'i. And Ibn Hibbān graded it *Sahih* (authentic)].

(٣٢٩) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ
النَّبِيَّ ﷺ قَالَ: «رُصُّوا صُفُوفَكُمْ، وَقَارِبُوا
بَيْنَهَا، وَحَاذُوا بِالأَعْنَاقِ». رَوَاهُ أَبُو دَاوُدَ
وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

330. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "The best of the men's rows is the first and the worst is the last; and the best of the women's rows is the last and the worst is the first."[2] [Reported by Muslim].

(٣٣٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ
قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «خَيْرُ صُفُوفِ
الرِّجَالِ أَوَّلُهَا، وَشَرُّهَا آخِرُهَا، وَخَيْرُ صُفُوفِ
النِّسَاءِ آخِرُهَا، وَشَرُّهَا أَوَّلُهَا». رَوَاهُ مُسْلِمٌ.

[1] It is reported in *Sahihain* that the Prophet ﷺ addressed people (with his face facing them) and directed them to straighten their rows or Allāh will create discord within your hearts. The narrator tells us that he has observed people during congregational prayers to the effect that they used to join their ankles and arms close to each other. The Prophet ﷺ has said, swearing by Allāh the Almighty, that if the prayer rows become sparsely spread, he can visualize Satan therein. In addition to this, there are many *Ahadīth* related to the proper decorum of the rows for the prayer.

[2] The last row of men is bad since they have been deprived of the priority and benefit belonging to the first row. The last row of women is better as they are farthest away from the possibility of mixing with men. In case it is an all female gathering and the congregational prayer is also led by a woman, then the same ruling applies on them. (The first row of

331. Narrated Ibn 'Abbās ؓ: "I prayed (the night *Tahajjud* prayer) with Allāh's Messenger ﷺ one night and I stood on his left side, whereupon he took me by the back of my head and made me go round to his right side. [Agreed upon].

(٣٣١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: صَلَّيْتُ مَعَ رَسُولِ اللهِ ﷺ ذَاتَ لَيْلَةٍ، فَقُمْتُ عَنْ يَسَارِهِ، فَأَخَذَ رَسُولُ اللهِ ﷺ بِرَأْسِي مِنْ وَرَائِي، فَجَعَلَنِي عَنْ يَمِينِهِ، مُتَّفَقٌ عَلَيْهِ.

332. Narrated Anas ؓ: Allāh's Messenger ﷺ prayed and an orphan and I[1] prayed behind him and Umm Sulaim ؓ was behind us[2]. [Agreed upon and the wording is Al-Bukhāri's].

(٣٣٢) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّى رَسُولُ اللهِ ﷺ، فَقُمْتُ أَنَا وَيَتِيمٌ خَلْفَهُ، وَأُمُّ سُلَيْمٍ خَلْفَنَا. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

333. Narrated Abū Bakra (ؓ): He reached the Prophet ﷺ while he was bowing, so he (Abu Bakra) bowed before reaching the row. He mentioned that to the Prophet ﷺ and the Prophet ﷺ said to him, "May Allāh increase your eagerness! But do not repeat[3]." [Reported by Al-Bukhāri]. And Abū Dā'ud added: "He bowed before reaching the row then walked and joined the row."

(٣٣٣) وَعَنْ أَبِي بَكْرَةَ أَنَّهُ انْتَهَى إِلَى النَّبِيِّ ﷺ وَهُوَ رَاكِعٌ، فَرَكَعَ قَبْلَ أَنْ يَصِلَ إِلَى الصَّفِّ، ثم مَشَى إلى الصفِّ وَذَكَرَ ذَلِكَ لِلنَّبِيِّ ﷺ، فَقَالَ لَهُ - النَّبِيُّ ﷺ -: «زَادَكَ اللَّهُ حِرْصاً، وَلَا تَعُدْ». رَوَاهُ الْبُخَارِيُّ، وَزَادَ أَبُو دَاوُدَ فِيهِ: «فَرَكَعَ دُونَ الصَّفِّ، ثُمَّ مَشَى إِلَى الصَّفِّ».

334. Narrated Wābisa bin Ma'bad[4] ؓ: Allāh's Messenger ﷺ saw a man praying alone behind the row so he ordered him to repeat the *Salāt* (prayer). [Reported by Ahmad, Abū Dā'ud and At-Tirmidhi. The latter graded it *Hasan*, and Ibn Hibbān graded it *Sahih* (authentic)].

(٣٣٤) وَعَنْ وَابِصَةَ بْنِ مَعْبَدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: أَنَّ رَسُولَ اللهِ ﷺ رَأَى رَجُلاً يُصَلِّي خَلْفَ الصَّفِّ وَحْدَهُ، فَأَمَرَهُ أَنْ يُعِيدَ الصَّلَاةَ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

Ibn Hibbān reported this from Talq

وَلَهُ عَنْ طَلْقٍ: لَا صَلَاةَ لِمُنْفَرِدٍ خَلْفَ

---

women then gets better than their last row, exactly like men).

[1] The rule is that the men should form a row first, then the children and then the women. In case there is only one adult and one child, both of them may stand together.

[2] A lone woman is allowed to pray behind a men's row in the absence of another woman to join her.

[3] May Allāh increase your enthusiasm in performing virtuous deeds but one should not exceed the limits, for example, by racing to enter the prayer. One should proceed to the prayer calmly. [See *Hadith* no. 335]

[4] He is an Ansāri from the clan of Asad bin Khuzaima. He was nicknamed Abū Qirsāfa. He first settled at Kūfa then moved to Al-Hīra and died about 90 H.

(bin 'Ali ﷺ): "The prayer of a person who prays alone behind the row is not accepted[1] ". And At-Tabarāni added to the narration of Wābisa, "Why did you not join them or pull back a man (to your position)?"

الصَّفِّ. وَزَادَ الطَّبَرَانِيُّ فِي حَدِيثِ وَابِصَةَ: أَلَا دَخَلْتَ مَعَهُمْ أَوِ اجْتَرَرْتَ رَجُلاً؟

335. Narrated Abū Huraira ﷺ: The Prophet ﷺ said, "If you hear the *Iqāma,* you must walk to the prayer (place) with tranquillity and dignity, and do not hasten; and whatever portion of the prayer you get[2] (along with the *Imām*) offer it, and complete afterwards whatever you missed. [Agreed upon, and the wording is Al-Bukhāri's].

(٣٣٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ النَّبِيُّ ﷺ: «إِذَا سَمِعْتُمُ الإِقَامَةَ فَٱمْشُوا إِلَى الصَّلَاةِ، وَعَلَيْكُمُ السَّكِينَةُ وَالوَقَارُ، وَلَا تُسْرِعُوا، فَمَا أَدْرَكْتُمْ فَصَلُّوا، وَمَا فَاتَكُمْ فَأَتِمُّوا»، مُتَّفَقٌ عَلَيْهِ. وَٱللَّفْظُ لِلْبُخَارِيِّ.

336. Narrated 'Ubai bin Ka'b ﷺ: Allāh's Messenger ﷺ said, "A man's prayer offered with another man is purer than his prayer which he offers alone, and his prayer with two men is purer than his prayer with one and if they are more (in number), it is more beloved to Allah, the Mighty the Majestic." [Reported by Abū Dā'ud and An-Nasā'i. And Ibn Hibbān graded it *Sahih* (authentic)].

(٣٣٦) وَعَنْ أُبَيِّ بْنِ كَعْبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «صَلَاةُ الرَّجُلِ مَعَ الرَّجُلِ أَزْكَى مِنْ صَلَاتِهِ وَحْدَهُ، وصَلَاتُهُ مع الرَّجُلَيْنِ أزكَى مِنْ صَلَاتِه مَعَ الرَّجُلِ، وَمَا كَانَ أَكْثَرُ فَهُوَ أَحَبُّ إِلَى اللهِ عَزَّ وَجَلَّ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

337. Narrated Umm Waraqa[3] ﷺ: The Prophet ﷺ commanded her to lead the members of her household[4] (in prayer). [Reported by Abū Dā'ud; Ibn Khūzaima graded it *Sahih* (authentic)].

(٣٣٧) وَعَنْ أُمِّ وَرَقَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ أَمَرَهَا أَنْ تَؤُمَّ أَهْلَ دَارِها. رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

[1] Whether or not a single person behind a row qualifies for the prayer (whether his prayer could be recognized as valid), is a disputed point about which there are differences in opinions. The fact is that one should not offer it by standing alone while a congregational prayer is in progress.

[2] The remainder of the prayer which one joins behind an *Imām* in a congregation, whether it should be considered as a former part of the prayer or as a latter part of it, is again a disputed point.

[3] She is Bint Naufal or Bint 'Abdullāh bin Al-Harith bin 'Uwaimr Al-Ansāriya. She compiled the Qur'ān and requested the Prophet ﷺ to allow her to take part in the battle of Badr. The Prophet ﷺ used to visit her and call her "the Martyr". She was killed by her male and female slaves who covered her with a sheet of cloth, thus suffocating her. They then ran away, but were caught and crucified by the orders of 'Umar رضي الله عنه.

[4] This *Hadīth* states that it is permissible and proper for a woman to lead the prayer. It is a proven fact that 'Aisha and Umm Salma رضي الله عنهما did lead prayers. Imām Ash-Shaukāni

338. Narrated Anas ؓ: The Prophet ﷺ appointed Ibn Umm Maktūm (ؓ) to lead the people in prayer in his absence and he (Ibn Umm Maktūm ؓ) was blind.[1] [Reported by Ahmad and Abū Dā'ud]. Ibn Hibbān also reported something similar from 'Aisha (ؓ).

(٣٣٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ اسْتَخْلَفَ ابْنَ أُمِّ مَكْتُومٍ، يَؤُمُّ النَّاسَ وَهُوَ أَعْمَى. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَنَحْوُهُ لِابْنِ حِبَّانَ عَنْ عَائِشَةَ.

339. Narrated Ibn 'Umar ؓ: Allah's Messenger ﷺ said, "Pray (funeral prayers) over him who said (believed): 'Nothing deserves to be worshipped except Allāh'; and pray behind him who says: 'Nothing deserves to be worshipped except Allāh'[2] ." [Ad-Dāraqutni reported it through a weak chain of narrators].

(٣٣٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «صَلُّوا عَلَى مَنْ قَالَ لَا إِلَه إِلَّا اللَّهُ، وصَلُّوا خَلْفَ مَنْ قَالَ لَا إِلَه إِلَّا اللَّهُ». رَوَاهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ.

340. Narrated 'Ali bin Abi Tālib ؓ Allāh's Messenger ﷺ said: "If one of you comes to *Salāt* (prayer) and the *Imām* is at a certain position, he must do as the *Imām* is doing." [Reported by At-Tirmidhi with a weak chain of narrators].

(٣٤٠) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا أَتَى أَحَدُكُمُ الصَّلَاةَ، وَالإِمَامُ عَلَى حَالٍ، فَلْيَصْنَعْ كَمَا يَصْنَعُ الإِمَامُ». رَوَاهُ التِّرْمِذِيُّ بِإِسْنَادٍ ضَعِيفٍ.

Chapter 11
THE PRAYER OF A TRAVELER AND A SICK PERSON

١١ - بَابُ صَلَاةِ الْمُسَافِرِ وَالْمَرِيضِ

341. Narrated 'Aisha ؓ that when the *Salāt* (prayer) was first prescribed, it

(٣٤١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: أَوَّلُ مَا فُرِضَتِ الصَّلَاةُ رَكْعَتَيْنِ،

said that a woman, if leading a prayer, must not stand alone ahead of the row but should stand within it. If her followers include males also, then they should be none other than their *Mahram* (the persons so closely related to her that she can not marry them). She cannot lead a prayer of a certain gathering that includes either strangers or *Ghair Mahram* (the persons allowed to enter a marriage contract with her).

[1] This *Hadīth* clarifies that a blind person can lead the prayer. Some scholars reluctantly approve of it, but this is against propriety. Some maintain that in the presence of a scholar who enjoys a perfect faculty of sight, it is improper to ask a blind scholar to lead a prayer, and this view is erroneous too. The Prophet ﷺ deputed 'Abdullāh bin Umm Maktum رضي الله عنه in his absence to lead the prayer thirteen times.

[2] The only point which is intended here is that it is permissible to offer a prayer behind a praying person who neglects the offering of *Wājibāt*. However, such a person must never be appointed an *Imām* (i.e., such a person should never be assigned the duties to lead prayers.).

consisted of two *Rak'at.*[1] Afterwards, the prayer during travelling was confirmed (as two *Rak'at*), while the prayer at the place of residence was completed (as four *Rak'at*). [Agreed upon].

فَأُقِرَّتْ صَلَاةُ السَّفَرِ، وَأُتِمَّتْ صَلَاةُ الحَضَرِ. مُتَّفَقٌ عَلَيْهِ.

Al-Bukhāri has: 'Then (Allāh's Messenger ﷺ) emigrated and it was prescribed as four, but prayer while travelling was left according to the original prescription (of two *Rak'at*).'

وَلِلْبُخَارِيِّ: ثُمَّ هَاجَرَ، فَفُرِضَتْ أَرْبَعاً، وَأُقِرَّتْ صَلَاةُ السَّفَرِ عَلَى الأَوَّلِ.

Ahmad added, 'Except the *Maghrib* (prayer) for it is the *Witr* (prayer) of the day; and except the *Fajr* (prayer), since the recitation (of the Qur'ān) is prolonged in it.'

وَزَادَ أَحْمَدُ: إِلَّا المَغْرِبَ، فَإِنَّهَا وِتْرُ النَّهَارِ، وَإِلَّا الصُّبحَ، فَإِنَّهَا تُطَوَّلُ فِيهَا القِرَاءَةُ.

342. Narrated 'Aisha ﵂: While on a journey, the Prophet ﷺ used to shorten the prayer (sometimes) and offer it completely (sometimes). [2] Similarly, he used to observe fast (sometimes) and break it (sometimes). [Ad-Dāraqutni reported it, and its narrators are reliable, but it is a defective *Hadīth*]. The *Mahfudh* (correct) narration from 'Aisha (concering this matter) is that it was her practice (that she ﵂ offered prayers in the complete form during travelling) [and not the practice of the Prophet]. She said: 'It is not hard for me.' [Al-Baihaqi reported it].[3]

(٣٤٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ النَّبِيَّ ﷺ كَانَ يَقْصُرُ فِي السَّفَرِ وَيُتِمُّ، وَيَصُومُ وَيُفْطِرُ. رَوَاهُ الدَّارَقُطْنِيُّ، وَرُوَاتُه ثِقَاتٌ، إِلَّا أَنَّهُ مَعْلُولٌ، وَالمَحْفُوظُ عَنْ عَائِشَةَ مِنْ فِعْلِهَا، وَقَالَتْ: إِنَّهُ لَا يَشُقُّ عَلَيَّ. أَخْرَجَهُ البَيْهَقِيُّ.

[1] This tells us that, in the beginning, only two *Rak'at* were specified to be offered as an obligatory prayer (like the prayer during a journey). Later on, an addition was made in the prayer of residents, whereas the prayer of a traveller remained as it was, which is now known as *Rak'atain* (two *Rak'at*). It has not been narrated authentically that the Prophet ﷺ offered the full form of prayer during a journey.

[2] The chain of narrators for this *Hadīth* includes 'Ala bin Zuhair, who has been criticized by some (including Ibn Hibban and Ibn Hazm) and accredited by others (including Ibn Ma'in, Ibn Hajar and Ath-Thahabi). See: *Tahdheeb At-Tahdheeb* 8/161, no 326. Imām Ibn Taimiyah maintains that this *Hadith* is nothing but a lie against the Prophet ﷺ. It is stated in *Sahihain* on the authority of 'Abdullāh bin 'Umar رضي الله عنهما that the Prophet ﷺ never offered more than two *Rak'at* of a four *Rak'at* prayer during a journey.

[3] This *Hadīth* cannot be used as an evidence because in its chain of narrators is 'Alā bin Zuhair about whom the scholars differ. It also contradicts the *Hadīth* narrated by Ibn 'Umar رضي الله عنهما reported by Al-Bukhāri and Muslim to the effect that the Prophet ﷺ never

343. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "Allāh the Most High loves that His permissions be practiced, just as he dislikes that disobedience[1] to Him be committed." [Ahmad reported it. Ibn Khuzaima and Ibn Hibbān graded it *Sahih* (authentic)]. A narration has, "As He loves that His duties be observed."

(٣٤٣) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ اللَّهَ يُحِبُّ أَنْ تُؤْتَى رُخَصُهُ، كَمَا يَكْرَهُ أَنْ تُؤْتَى مَعْصِيَتُهُ». رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وابْنُ حِبَّانَ، وَفِي رِوَايَةٍ: «كَمَا يُحِبُّ أَنْ تُؤْتَى عَزَائِمُهُ».

344. Narrated Anas ﷺ: When Allāh's Messenger ﷺ went out on a journey of three miles[2] or three *Farasikh*[3], he (ﷺ) used to pray two *Rak'at*. [Reported by Muslim].

(٣٤٤) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا خَرَجَ مَسِيرَةَ ثَلَاثَةِ أَمْيَالٍ أَوْ فَرَاسِخَ صَلَّى رَكْعَتَيْنِ. رَوَاهُ مُسْلِمٌ.

345. Narrated (Anas) ﷺ: We went from Al-Madīnah to Makkah with Allāh's Messenger ﷺ and he prayed two *Rak'at* at each time of prayer till we returned to Al-Madīnah. [Agreed upon, and the wording is Al-Bukhāri's].

(٣٤٥) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: خَرَجْنَا مَعَ رَسُولِ اللهِ ﷺ مِنَ المَدِينَةِ إِلَى مَكَّةَ، فَكَانَ يُصَلِّي رَكْعَتَيْنِ حَتَّى رَجَعْنَا إِلَى المَدِينَةِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

346. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ (made a journey during which) he had a stop of nineteen days, during which he shortened his prayers. In a narration of Al-Bukhāri: "(he ﷺ stayed) Nineteen days in Makkah." In a

(٣٤٦) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أَقَامَ النَّبِيُّ ﷺ تِسْعَةَ عَشَرَ يَوْماً يَقْصُرُ وَفِي لَفْظٍ: «بِمَكَّةَ، تِسْعَةَ عَشَرَ يَوْماً». رَوَاهُ البُخَارِيُّ. وَفِي رِوَايَةٍ لأَبِي دَاوُدَ: «سَبْعَ

---

prayed more than two *Rak'at* of a four-*Rak'at* prayer while traveling.

[1] This *Hadīth* tells us that it is much better to offer two-*Rak'at* prayer, while performing the same in full is a violation.

[2] A doubt lies in this *Hadīth* as to whether it is three miles or three *Farsakh*. The original *Hadīth* does not state it, but it is the doubt of a reporter in the chain of narrators, as to whether Anas رضي الله عنه used the words 'three miles' or 'three *Farsakh*'. We must know that in order to be eligible to offer 'a two-*Rak'at* prayer', no distance has been specified in any *Hadīth*. In fact, this concession, like performing *Tayammum* (purification with soil) during a journey, has been kept wide open to the effect that it is permissible to offer a 'two-*Rak'at* prayer' during any trip which is considered as 'traveling'.

It appears from the *Hadīth* that a 'three-mile trip' is indeed a journey. But as long as *Shu'ba* doubts it, the scholars have given a ruling that the distance should be three *Farsakh* (i.e., nine miles). Some scholars have specified 36 miles, some 48 miles whereas some other suggested 52 miles. The reference concerning 48 miles is better and stronger, as *Ahnāf* and the scholars of *Hadīth* accord their preference to it. However, these are merely surmises and conjectures and are not substantiated by any conclusive evidence.

[3] *Farāsikh* (plural of *Farsakh*) is Persian unit of distance. *Farsakh* is equal to about three miles.

narration of Abū Dā'ud: "seventeen days."[1] And in another: "fifteen days."

عَشْرَةَ». وَفِي أُخْرَى: «خَمْسَ عَشْرَةَ».

The narration of Abū Dā'ud from 'Imrān bin Husain ﷺ has: "eighteen days." His narration from Jābir ﷺ has: Allāh's Messenger ﷺ stayed at Tabūk for twenty days, and he shortened the prayers (during his stay). [Its narrators are reliable, except that there is difference about whether or not it is *Mawsul* (unbroken chain of narrators)].

وَلَهُ عَنْ عِمْرَانَ بْنِ حُصَيْنٍ: «ثَمَانِيَ عَشْرَةَ». وَلَهُ عَنْ جَابِرٍ: أَقَامَ بِتَبُوكَ عِشْرِينَ يَوْماً يَقْصُرُ الصَّلَاةَ. وَرُوَاتُهُ ثِقَاتٌ، إِلَّا أَنَّهُ اخْتُلِفَ فِي وَصْلِهِ.

347. Narrated Anas ﷺ: When Allāh's Messenger ﷺ (while on a journey) proceeded before the sun had declined from the centre of the sky, he (ﷺ) delayed the *Zuhr* prayer till the time of the *'Asr* prayer; he ﷺ would then alight and combine the two prayers. If the sun declined before he ﷺ moved off, he (ﷺ) would offer the *Zuhr* prayer and ride (i.e. travel). [Agreed upon].

(٣٤٧) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا ارْتَحَلَ قَبْلَ أَنْ تَزِيغَ الشَّمْسُ، أَخَّرَ الظُّهْرَ إِلَى وَقْتِ الْعَصْرِ، ثُمَّ نَزَلَ فَجَمَعَ بَيْنَهُمَا، فَإِنْ زَاغَتِ الشَّمْسُ قَبْلَ أَنْ يَرْتَحِلَ صَلَّى الظُّهْرَ ثُمَّ رَكِبَ. مُتَّفَقٌ عَلَيْهِ.

In the narration of Al-Hākim quoted in the *Al-Arba'īn* with a *Sahih Isnād*, "He ﷺ prayed *Zuhr* and *'Asr* then rode (his beast, to continue his journey.)"

وَفِي رِوَايَةِ الْحَاكِمِ فِي الْأَرْبَعِينَ بِالْإِسْنَادِ الصَّحِيحِ: صَلَّى الظُّهْرَ وَالْعَصْرَ ثُمَّ رَكِبَ.

Abū Nu'aim has in his *Mustakhraj* of Muslim, "While on a journey, if the sun declined he ﷺ used to pray *Zuhr* and *'Asr* together and then continue his journey."

وَلِأَبِي نُعَيْمٍ فِي مُسْتَخْرَجِ مُسْلِمٍ: كَانَ إِذَا كَانَ فِي سَفَرٍ فَزَالَتِ الشَّمْسُ صَلَّى الظُّهْرَ وَالْعَصْرَ جَمِيعاً، ثُمَّ ارْتَحَلَ.

348. Narrated Mu'adh bin Jabal ﷺ: We went out with Allāh's Messenger ﷺ on the Tabūk expedition, and he would offer *Zuhr* and *'Asr* prayers together[2]

(٣٤٨) وَعَنْ مُعَاذِ بْنِ جَبَلٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: خَرَجْنَا مَعَ النَّبِيِّ ﷺ فِي غَزْوَةِ تَبُوكَ، فَكَانَ يُصَلِّي الظُّهْرَ وَالْعَصْرَ جَمِيعاً. رَوَاهُ

[1] There is also a difference of opinion pertaining to the duration of one's stop-over (during a journey). Some have specified four days, others eighteen. In fact it is only a misunderstanding. In case someone has to dwell at a certain place without knowing when they will leave that place, no duration is specified in relation to it and he can go on praying 'two *Rak'at*' indefinately.

[2] This *Hadīth* tells us that it is permissible to join *Zuhr*, *'Asr*, as well as *Maghrib* and *'Ishā'* prayers during a journey, irrespective of whether this joining is done at the time of the validity of a former prayer or the latter one. Both of these situations are proven ones by the actions and practice of the Prophet ﷺ. The followers of the *Hanafi* school of thought do not approve of this practice which amounts to the negation of this *Hadīth*.

and *Magbrib* and *'Ishā'* prayers together. [Reported by Muslim].

مُسْلِمٌ.

349. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "Do not shorten the prayer (while travelling) for a distance of less than four *Burud*[1]; from Makkah to 'Usfān." [Ad-Dāraqutni reported it through a weak chain of narrators, and the right opinion is that it is *Mawqūf* (saying of a companion, i.e. Ibn 'Abbas). Ibn Khuzaima reported it as such].

(٣٤٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهما قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَقْصُرُوا الصَّلَاةَ فِي أَقَلَّ مِنْ أَرْبَعَةِ بُرُدٍ، مِنْ مَكَّةَ إِلَى عُسْفَانَ». رَوَاهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ، وَالصَّحِيحُ أَنَّهُ مَوقُوفٌ، كَذَا أَخرَجَهُ ابْنُ خُزَيْمَةَ.

350. Narrated Jābir ﷺ: Allāh's Messenger ﷺ said: "The best of my followers are those who, having done evil, ask for forgiveness (from Allāh); and when on a journey, shorten (the prayer) and break the fast." [At-Tabarāni reported it in *Al-'Awsat* through a weak chain of narrators. Al-Baihaqi reported it in brief as a *Mursal* (missing link after the *Tābi'i*) from Sa'īd bin Al-Musaiyab].

(٣٥٠) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «خَيْرُ أُمَّتِي الَّذِينَ إِذَا أَسَاءُوا اسْتَغْفَرُوا، وَإِذَا سَافَرُوا قَصَرُوا وَأَفْطَرُوا». أَخْرَجَهُ الطَّبَرَانِيُّ فِي الأَوْسَطِ بِإِسْنَادٍ ضَعِيفٍ، وَهُوَ فِي مَرَاسِيلِ سَعِيدِ بْنِ المُسَيَّبِ عِنْدَ البَيهَقِيِّ مُخْتَصَراً.

351. Narrated 'Imrān bin Husain ﷺ: I suffered from piles. So I asked the Prophet ﷺ about the prayers. He said: "Pray standing; and if you are unable, (pray) sitting; and if you are unable, (pray) lying on your side." Reported by Al-Bukhāri].

(٣٥١) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما قَالَ: كَانَتْ بِي بَوَاسِيرُ، فَسَأَلْتُ النَّبِيَّ ﷺ عَنِ الصَّلَاةِ، فَقَالَ: «صَلِّ قَائِماً، فَإِنْ لَّمْ تَسْتَطِعْ فَقَاعِداً، فَإِنْ لَّمْ تَسْتَطِعْ فَعَلَى جَنْبٍ». رَوَاهُ البُخَارِيُّ.

352. Narrated Jābir ﷺ: The Prophet ﷺ visited a sick man and saw him praying on a cushion, he threw it away and said, "Pray on the ground, if you can, or else pray by gestures[2] and make your prostration lower than your bowing." [Al-Baihaqi reported it and Abu Hātim graded it *Sahih* (authentic) in *Mawqūf* form (as a saying of a companion, i.e. Jabir].

(٣٥٢) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: عَادَ النَّبِيُّ ﷺ مَرِيضاً، فَرَآه يُصَلِّي عَلَى وِسَادَةٍ فَرَمَى بِهَا، وَقَالَ: «صَلِّ عَلَى الأَرْضِ إِنِ اسْتَطَعْتَ، وَإِلَّا فَأَوْمِ إِيمَاءً، وَاجْعَلْ سُجُودَكَ أَخْفَضَ مِنْ رُكُوعِكَ». رَوَاهُ البَيْهَقِيُّ، وَصَحَّحَ أَبُو حَاتِمٍ وَقْفَهُ.

[1] *Burud*: Plural of *Barid*, which means three *Farsakh*, and one *Farsakh* is equal to three miles.

[2] In case one is not strong enough even to gesticulate, momentarily he is excused. But as soon as he recovers and gets his strength back, he must offer all of them as an obligation. If someone faints and is unconscious, he is excused from his prayers as long as he is in that condition.

353. Narrated 'Aisha ﷺ: I saw the Prophet ﷺ praying while sitted in a cross-legged position[1] . [Reported by An-Nasā'i; and Al-Hākim graded it *Sahih* (authentic)].

(٣٥٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْها قالت: رَأَيْتُ النَّبِيَّ ﷺ يُصَلِّي مُتَرَبِّعاً. رَوَاهُ النَّسَائِيُّ، وَصَحَّحَهُ الحَاكِمُ.

Chapter 12
AL-JUMU'A[2] PRAYER

١٢ - بَابُ صَلَاةِ الجُمُعَةِ

354. Narrated 'Abdullāh bin 'Umar and Abū Huraira ﷺ: They heard Allāh's Messenger ﷺ say (while standing) upon the planks of his pulpit: "People must cease to neglect the Friday prayers, or else Allāh will seal their hearts and then they will be among the unmindful." [Reported by Muslim].

(٣٥٤) عَنْ عَبْدِ اللهِ بْنِ عُمَرَ، وَأَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُما، أَنَّهُمَا سَمِعَا رَسُولَ اللهِ ﷺ يَقُولُ عَلَى أَعْوَادِ مِنْبَرِهِ: «لَيَنْتَهِيَنَّ أَقْوَامٌ عَنْ وَدْعِهِمُ الجُمُعَاتِ، أَوْ لَيَخْتِمَنَّ اللَّهُ عَلَى قُلُوبِهِمْ، ثُمَّ لَيَكُونُنَّ مِنَ الغَافِلِينَ». رَوَاهُ مُسْلِمٌ.

355. Narrated Salāma[3] bin Al-Akwa' ﷺ: We used to offer the Friday prayer with Allāh's Messenger ﷺ and return (to our homes) while the walls had no shade[4] for us to go under (at that time)[5] . [Agreed upon. This is the wording of Al-Bukhāri].

(٣٥٥) وَعَنْ سَلَمَةَ بْنِ الأَكْوَعِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا نُصَلِّي مَعَ رَسُولِ اللهِ ﷺ يَوْمَ الجُمُعَةِ، ثُمَّ نَنْصَرِفُ وَلَيْسَ لِلْحِيطَانِ ظِلٌّ نَسْتَظِلُّ بِهِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

And in a narration of Muslim: "We used to offer the Friday prayers with him

وَفِي لَفْظٍ لِمُسْلِمٍ: كُنَّا نُجَمِّعُ مَعَهُ إِذَا زَالَتِ الشَّمْسُ، ثُمَّ نَرْجِعُ، نَتَتَبَّعُ الفَيْءَ.

[1] The Prophet ﷺ resorted to a sitting posture during a prayer due to a legitimate excuse. A *Hadīth* states that the Prophet ﷺ suffered from an abscess in his thigh and as long as one suffers from a disease or an injury, he can offer his prayers in whatever posture he can, without any blame. This is a favor from Allāh.

[2] The day of *Jumu'a* (Friday) was known as *Al-'Arūba* during *Jahiliya* times (the pre-Islamic period). Islam named it *Jumu'a* as the Muslims of a city gather at one place in congregation to offer prayers to Allāh the All-Mighty. In addition to this, there are a few other reasons also.

[3] He is Abū Muslim, Salama bin 'Amr bin Al-Akwa' Sinān bin 'Abdullah Al-Aslami Al-Madani. He was one of the bravest *Sahāba*, and used to run faster than a horse with his feet. He was good, pious and generous. He died at Al-Madīnah in 74 H.

[4] This *Hadīth* clearly states that the Prophet ﷺ used to end his *Jumu'a* prayer at a time while the shades of the walls were insufficient to cover the people i.e., the *Jumu'a* prayer was performed at an early time.

[5] According to Imām Ahmad bin Hanbal, it is permissible to start performing Friday's prayer before *Zawāl* (the declining of the sun). The rest of the *Imāms* and the majority of scholars observe that the Friday prayer must be performed immediately after *Zawāl*. During present times, it has become a practice to delay the *Jumu'a* prayer much more, even later than the *Zuhr* prayer itself, which is against the tradition of the Prophet ﷺ.

(Allāh's Messenger ﷺ) when the sun passed the meridian. We would then return and try to find the afternoon shadow.

356. Narrated Sahl bin Sa'd[1] ؓ: We would not have a siesta (mid-day nap) nor lunch till after the Friday prayer.[2] [Agreed upon; and the wording is Muslim's]. Another narration his: "during the life time of Allāh's Messenger ﷺ.

(٣٥٦) وَعَنْ سَهْلِ بْنِ سَعْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: مَا كُنَّا نَقِيلُ وَلَا نَتَغَدَّى إِلَّا بَعْدَ الْجُمُعَةِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ. وَفِي رِوَايَةٍ: فِي عَهْدِ رَسُولِ اللهِ ﷺ.

357. Narrated Jābir ؓ: Allāh's Messenger ﷺ was standing while delivering the *Khutba* (religious talk, sermon) on Friday when a caravan from Syria arrived. The people flocked towards it till no one was left (with the Prophet ﷺ) except twelve men. [Reported by Muslim].

(٣٥٧) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ يَخْطُبُ قَائِماً، فَجَاءَتْ عِيرٌ مِنَ الشَّامِ، فَانْفَتَلَ النَّاسُ إِلَيْهَا، حَتَّى لَمْ يَبْقَ إِلَّا اثْنَا عَشَرَ رَجُلاً. رَوَاهُ مُسْلِمٌ.

358. Narrated Ibn 'Umar ؓ: Allāh's Messenger ﷺ said, "Whoever is in time for a *Rak'a* of the Friday prayer, or any other prayer,[3] should add another (*Rak'a*) to it and his prayer will then be complete."[4] An-Nasā'i, Ibn Mājah and Ad-Dāraqutni reported it; the wording is from Ad-Dāraqutni. Its chain of narrators is *Sahih* (authentic), but Abu Hātim confirmed it as *Mursal* (missing link after the *Tābi'i*].

(٣٥٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ أَدْرَكَ رَكْعَةً مِنْ صَلَاةِ الْجُمُعَةِ وَغَيْرِهَا فَلْيُضِفْ إِلَيْهَا أُخْرَى، وَقَدْ تَمَّتْ صَلَاتُهُ». رَوَاهُ النَّسَائِيُّ وَابْنُ مَاجَهْ وَالدَّارَقُطْنِيُّ، وَاللَّفْظُ لَهُ، وَإِسْنَادُهُ صَحِيحٌ، لَكِنْ قَوَّى أَبُو حَاتِمٍ إِرْسَالَهُ.

---

[1] He is Abul-'Abbās Al-Khazraji As-Sa'idi Al-Ansāri. He reported one hundred *Ahadīth* and died in 91 H. at the age of about hundred years. It is said that he is the last *Sahābi* to die in Al-Madīnah.

[2] It does not mean that he used to perform the Friday prayer even prior to the time of *Zawāl* (the declining of the sun), since they would only take their lunch and mid-day nap after the time of *Zuhr*. The Friday prayer takes the place of the *Zuhr* prayer, and as long as it involves a *Khutba* (religious sermon), it is imperative that it be performed early, so that the prayer is completed within the earlier part of the time for *Zuhr*.

[3] The narration which is ascribed to Abū Huraira in *Sahihain*, does not specify and single out Friday prayer, it is only a generalisation in relation to all the prayers. As long as one could pursue one *Rak'at* with *Imām*, he accrues the reward of congregation to his credit. The same holds true in relation to Friday prayers. Then, one may stand up and complete the remainder of his prayer.

[4] This *Hadīth* refutes the view of those who maintain that unless one listens to a part of the *Khutba* (religious talk), his Friday prayer is not acceptable.

359. Narrated Jābir bin Samura ﷺ: The Prophet ﷺ used to deliver the *Khutba* (religious talk, sermon) while standing.[1] He (ﷺ) would then sit down and then stand up and deliver the *Khutba* in a standing posture. So, whoever informs you that he (the Prophet ﷺ) delivered the *Khutba* (religious talk, sermon) while sitting has definitely told a lie. [Reported by Muslim].

(٣٥٩) وَعَنْ جَابِرِ بْنِ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ يَخْطُبُ قَائِماً، يَجْلِسُ ثُمَّ يَقُومُ فَيَخْطُبُ قَائِماً، فَمَنْ أَنْبَأَكَ أَنَّهُ كَانَ يَخْطُبُ جَالِساً فَقَدْ كَذَبَ. أَخْرَجَهُ مُسْلِمٌ.

360. Narrated Jābir bin 'Abdullāh ﷺ: Whenever Allāh's Messenger ﷺ delivered a *Khutba* (religious talk), his eyes would become red, his voice rose[2] and his anger would become intensified, as if he (ﷺ) was like one warning an army and saying, "The enemy has made a morning attack on you. The enemy has made an evening attack on you." He ﷺ would also say "*Amma ba'du*,[3] the best of speech is embodied in the Book of Allāh, and the best of guidance is the guidance of Muhammad. And the most evil of affairs are their innovations and every innovation is misguidance."[4] [Reported by Muslim].

(٣٦٠) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُما قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا خَطَبَ احْمَرَّتْ عَيْنَاهُ، وَعَلَا صَوْتُهُ، وَاشْتَدَّ غَضَبُهُ، حَتَّى كَأَنَّهُ مُنْذِرُ جَيْشٍ يَقُولُ: «صَبَّحَكُمْ وَمَسَّاكُمْ»، وَيَقُولُ: «أَمَّا بَعْدُ: فَإِنَّ خَيْرَ الحَدِيثِ كِتَابُ اللهِ، وَخَيْرَ الهَدْيِ هَدْيُ مُحَمَّدٍ، وشَرَّ الأُمُورِ مُحْدَثَاتُهَا، وَكُلَّ بِدْعَةٍ ضَلَالَةٌ». رَوَاهُ مُسْلِمٌ.

And in a narration of Muslim: "In the Prophet's *Khutba* on Friday: He would praise Allāh and extol Him.Then, following that, he would say – and he had raised his voice... "

وَفِي رِوَايَةٍ لَهُ: كَانَتْ خُطْبَةُ النَّبِيِّ ﷺ يَوْمَ الجُمُعَةِ: يَحْمَدُ اللَّهَ، وَيُثْنِي عَلَيْهِ، ثُمَّ يَقُولُ عَلَى إِثْرِ ذَلِكَ، وَقَدْ عَلَا صَوْتُهُ.

[1] This *Hadīth* informs us that the Prophet ﷺ used to address people (deliver *Khutba*) in a standing posture. It further informs us that during a Friday prayer, delivering a *Khutba* in two parts is in accordance with *Sunnah*, and that a brief sitting in between the said parts also conforms to the tradition of the Prophet ﷺ and a violation of any of the above is regarded as an innovation.

[2] This *Hadīth* enjoins upon us that the *Khutba* should be delivered loudly (i.e., with a higher pitch of sound) and it should represent such a style which may be effective enough to move the audience.

[3] An opening phrase for Islamic speeches meaning "to proceed."

[4] *Bid'a* (innovation), according to *Shari'a* (Divine law) stands for any action, speech or belief which is neither established nor authenticated either by the Qur'ān or *Sunnah*, nor is it derived or deduced from it. The words كل بدعة all innovations allude to the fact that no innovation upholds any goodness. For details, refer to the book *Al-I'tisām* of Ash-Shatibi.

And in another narration from Muslim: "Whoever Allāh guides, no one can lead astray; and whoever Allāh leads astray, no one can guide him." An-Nasā'i has: "Every misguidance is (a cause to enter) the Fire."

وَفِي رِوَايَةٍ لَّهُ: «مَنْ يَّهْدِ اللَّهُ فَلَا مُضِلَّ لَهُ، وَمَنْ يُضْلِلْ فَلَا هَادِيَ لَهُ». وَلِلنَّسَائِيِّ: «وَكُلَّ ضَلَالَةٍ فِي النَّارِ».

361. Narrated 'Ammār bin Yāsir ﷺ: He heard Allāh's Messenger ﷺ say : "The length of a man's prayer and the shortness of his *Khutba* (religious talk) are a sign of his understanding[1] (of the religion)." [Reported by Muslim].

(٣٦١) وَعَنْ عَمَّارِ بْنِ يَاسِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «إِنَّ طُولَ صَلَاةِ الرَّجُلِ وَقِصَرَ خُطْبَتِهِ مَئِنَّةٌ مِنْ فِقْهِهِ». رَوَاهُ مُسْلِمٌ.

362. Umm Hishām[2] ﷺ daughter of Haritha said : I learnt *Sūrat Qāf*[3] from no other source than the tongue of Allāh's Messenger ﷺ who used to recite it every Friday on the pulpit[4] when he delivered the *Khutba* (religious talk) to the people." [Reported by Muslim].

(٣٦٢) وَعَنْ أُمِّ هِشَامٍ بِنْتِ حَارِثَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: مَا أَخَذْتُ ﴿قٓ وَٱلْقُرْءَانِ ٱلْمَجِيدِ﴾ إِلَّا عَنْ لِسَانِ رَسُولِ اللهِ ﷺ، يَقْرَؤُهَا كُلَّ جُمُعَةٍ عَلَى الْمِنْبَرِ إِذَا خَطَبَ النَّاسَ. رَوَاهُ مُسْلِمٌ.

363. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said: "Whoever speaks on Friday while the *Imām* is giving the *Khutba* (religious talk), he is like a donkey which carries books;[5] and he who tells him to be quiet has no *Jumu'a*[6] ." [Reported by Ahmad with an acceptable chain of narrators].

(٣٦٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ تَكَلَّمَ يَوْمَ الْجُمُعَةِ، وَالإِمَامُ يَخْطُبُ، فَهُوَ كَمَثَلِ الْحِمَارِ يَحْمِلُ أَسْفَاراً، وَالَّذِي يَقُولُ لَهُ: أَنْصِتْ، لَيْسَتْ لَهُ جُمُعَةٌ». رَوَاهُ أَحْمَدُ بِإِسْنَادٍ لَا بَأْسَ بِهِ.

[1] This tells us that one should lengthen the prayer and shorten the *Khutba*. Some of the *Khatibs* (the *Imāms* who lead the Friday prayers and deliver the *Khutba*) during the present times lengthen their *Khutba* to such an extent that it encroaches upon the actual prayer time and then they try to finish the prayer in a hurried manner. This practice is against the tradition of the Prophet ﷺ .

[2] She is Umm Hishām bint Hāritha bin Nu'mān, maternal sister of 'Umra bint 'Abdur-Rahmān. She is *Ansāriya* from the Najjar clan. It is said that she participated in *Bai'atur-Ridwān*.

[3] *Sūrat* no. 50.

[4] It is a lesson for the *Khatib* (speaker) that while addressing people prior to conducting a Friday prayer, one should recite the Qur'ān and interpret its meanings to the people.

[5] Such a person resembles a donkey (i.e., a beast of burden) in that it derives no benefit out of carrying a loadful of books onto its back. Similarly, this person does not accrue any reward to his credit out of performing a Friday prayer.

[6] It is worth noticing that the Prophet ﷺ never said that his prayer will not be accepted, but he is deprived of the reward of a Friday prayer. Hence, the scholars have stated, by deduction, that whoever engages himself in a conversation, shall indeed get credit for the

This *Hadīth* interprets the *Marfu' Hadīth* (attributed to the Prophet) of Abu Huraira reported in the *Sahihain*: On Friday, when the *Imām* is delivering the *Khutba* (religious talk), if you say to your companion to keep quiet, then indeed you have committed a sin (error/something senseless).

وَهُوَ يُفَسِّرُ حَدِيثَ أَبِي هُرَيْرَةَ فِي الصَّحِيحَيْنِ مَرْفُوعاً: «إِذَا قُلْتَ لِصَاحِبِكَ: أَنْصِتْ يَوْمَ الجُمُعَةِ، وَالإِمَامُ يَخْطُبُ، فَقَدْ لَغَوْتَ».

364. Narrated Jābir ﷺ: A man entered the mosque on a Friday when the Prophet ﷺ was delivering the *Khutba* (religious talk, sermon) and he (the Prophet ﷺ) said, "Have you prayed? He replied, "No." He (the Prophet ﷺ) said, "Stand and pray two *Rak'at*.[1]" [Agreed upon].

(٣٦٤) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: دَخَلَ رَجُلٌ يَوْمَ الجُمُعَةِ، وَالنَّبِيُّ ﷺ يَخْطُبُ، فَقَالَ: «صَلَّيْتَ»؟ قَالَ: لَا، قَالَ: «قُمْ فَصَلِّ رَكْعَتَيْنِ». مُتَّفَقٌ عَلَيْهِ.

365. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ used to recite in *Jumu'a* prayer *Sūrat Al-Jumu'a*[2] and *Al-Munafiqūn*[3]. [Reported by Muslim].

(٣٦٥) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ كَانَ يَقْرَأُ فِي صَلَاةِ الجُمُعَةِ سُورَةَ الجُمُعَةِ وَالمُنَافِقِينَ. رَوَاهُ مُسْلِمٌ.

Narrated Nu'mān bin Bashir[4] (ﷺ: He (Allāh's Messenger ﷺ) used to recite in the two *'Eids* and in the Friday prayer[5] : *"Sabbih isma Rabbikal-A'la*[6]*"* and *"Hal atāka hadīthul ghāshiyah*[7]*"*. [Reported by Muslim].

وَلَهُ عَنِ النُّعْمَانِ بْنِ بَشِيرٍ كَانَ يَقْرَأُ فِي العِيدَيْنِ وَفِي الجُمُعَةِ بِـ«سَبِّحِ اسْمَ رَبِّكَ الأَعْلَى» «وَهَلْ أَتَاكَ حَدِيثُ الغَاشِيَةِ».

366. Narrated Zaid bin Arqam ﷺ: The Prophet ﷺ prayed the *'Eid* prayer (on a Friday); and granted a permission (to be excused) from the praying of Friday

(٣٦٦) وَعَنْ زَيْدِ بْنِ أَرْقَمَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّى النَّبِيُّ ﷺ العِيدَ، ثُمَّ رَخَّصَ فِي الجُمُعَةِ، فَقَالَ: «مَنْ شَاءَ أَنْ يُصَلِّيَ فَلْيُصَلِّ».

prayer, but shall be deprived of the reward associated with the Friday prayer.

[1] The narration of Al-Bukhāri comprises the word خفيفتين *Khafifatain*, after ركعتين *Rak'atain*, which means that he should offer two light ones such as to economise time to the maximum in order listen to the *Khutba*.

[2] *Sūrat* no. 62.

[3] *Sūrat* no. 63.

[4] He is Abū 'Abdullah Al-Ansāri Al-Madani, and was the first *Ansāri* child to be born after the *Hijra* of the Prophet ﷺ. He was born in the fourteenth month of the *Hijra*. He settled in Shām and later became the governor of Kufa and then Hims. Khalid bin Khali Al-Kilā'i killed him on Marj-ar-Rahit day in the year 64 H.

[5] Among these *Sūrah*, he used to recite different ones on different occasions.

[6] *Sūrat Al-A'la*. no. 87.

[7] *Sūrat Al-Ghāshiyah*. no. 88.

prayer and said, "Whoever wants to pray it, he may pray."[1] [Reported by *Al-Khamsa* excluding At-Tirmidhi. Ibn Khuzaima graded it *Sahih* (authentic)].

رَوَاهُ الْخَمْسَةُ إِلَّا التِّرْمِذِيَّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

367. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "When anyone of you prays the *Jumu'a* prayer, he should pray four (optional) *Rak'at* after it."[2] [Reported by Muslim].

(٣٦٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا صَلَّى أَحَدُكُمُ الْجُمُعَةَ فَلْيُصَلِّ بَعْدَهَا أَرْبَعاً». رَوَاهُ مُسْلِمٌ.

368. Narrated As-Sāib bin Yazid[3] (ﷺ) that Mu'āwiya ﷺ told him, "If you offer the Friday prayer, do not connect it with another prayer, till you talk or go out. Allāh's Messenger ﷺ had commanded us accordingly: that we should not connect a prayer to another prayer till we talk or go out[4] (in between them)." [Reported by Muslim]

(٣٦٨) وَعَنِ السَّائِبِ بْنِ يَزِيدَ أَنَّ مُعَاوِيَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ لَهُ: إِذَا صَلَّيْتَ الْجُمُعَةَ فَلَا تَصِلْهَا بِصَلَاةٍ حَتَّى تَتَكَلَّمَ أَوْ تَخْرُجَ، فَإِنَّ رَسُولَ اللهِ ﷺ أَمَرَنَا بِذَلِكَ: أَنْ لَا نُوصِلَ صَلَاةً بِصَلَاةٍ حَتَّى نَتَكَلَّمَ أَوْ نَخْرُجَ. رَوَاهُ مُسْلِمٌ.

369. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Whoever takes a bath, then comes to *Al-Jumu'a* prayer, then prays what was fixed for him,[5] then keeps silent till the *Imām* finishes the *Khutba* (religious talk – sermon), and then prays along with him – his

(٣٦٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنِ اغْتَسَلَ، ثُمَّ أَتَى الْجُمُعَةَ، فَصَلَّى مَا قُدِّرَ لَهُ، ثُمَّ أَنْصَتَ حَتَّى يَفْرُغَ الإِمَامُ مِنْ خُطْبَتِهِ، ثُمَّ يُصَلِّي مَعَهُ، غُفِرَ لَهُ مَا بَيْنَهُ وَبَيْنَ الْجُمُعَةِ الأُخْرَى، وَفَضْلُ

---

[1] This comprises an evidence that in case *'Eid* falls on Friday, it is not obligatory to perform the Friday prayer but it is better to perform it.

[2] There is difference in opinion as to how many *Rak'at* one should offer as *Sunnah* after the Friday prayer. Some recognise it to be just two *Rak'at*, whereas the others prefer to offer four. Imām Shāfi'i, Imām Ahmad and the majority of the scholars hold this opinion, and it is the preferable one. The *Hadīth* of four *Rak'at*, is a saying of the Prophet ﷺ himself and one should indeed act upon it accordingly.

[3] He is Abū Yazid Al-Kindi. He was born in the year 2 H. and attended *Hajjatul-Wadā'* with his father. He died in 80 H.

[4] This *Hadīth* tells us that in case someone offers a certain prayer at a certain place, he should not offer another prayer at the same spot and at the same time. There must be a distance in between the two prayers – either by way of change in the place or by way of *Dhikr* (the recitation of the Qur'ān, mentioning Allāh's Names or the utterance of different prescribed supplications). The well-intended motive behind it is that either his record of actions and deeds must either reflect that he has offered his prayers in that many places, or the same must prove that he has offered it that many times.

[5] There is no specified limit to the number of *Nawāfil* (voluntary prayers) one can offer while waiting for the Friday prayer. Likewise, there is no specified time limit either. But as the other *Hadīth* clearly states that there is no prohibition on the offering of *Nafl* (voluntary prayer) on Friday even at the very time of *Zawāl* – until the Imam ascends the *Minbar* to offer the *Khutbah*.

sins (committed) between that time and the next Friday will be forgiven, with an addition of three days more."[1] [Reported by Muslim].

ثَلَاثَةِ أَيَّامٍ». رَوَاهُ مُسْلِمٌ.

370. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ mentioned the day of *Jumu'a* and then said, "There is a time in it (Friday) at which no Muslim would stand up while praying and beg Allāh, Who is Great and Glorious, for something except that He would give it to him.[2] He ﷺ indicated with his hand that it (this time) is short ." [Agreed upon]. A narration of Muslim has: "this time is brief."

(٣٧٠) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ ذَكَرَ يَوْمَ الجُمُعَةِ، فَقَالَ: «فِيهِ سَاعَةٌ لَا يُوَافِقُهَا عَبْدٌ مُسْلِمٌ، وَهُوَ قَائِمٌ يُصَلِّي يَسْأَلُ اللَّهَ عَزَّ وَجَلَّ شَيْئاً، إِلَّا أَعْطَاهُ إِيَّاهُ». وَأَشَارَ بِيَدِهِ يُقَلِّلُهَا. مُتَّفَقٌ عَلَيْهِ. وَفِي رِوَايَةٍ لِمُسْلِمٍ: «وَهِيَ سَاعَةٌ خَفِيفَةٌ».

371. Narrated Abū Burda ﷺ from his father's: I heard Allāh's Messenger ﷺ say, "That time is between the time when the *Imām* sits down and the end of the prayer." [Reported by Muslim]. Ad-Darāqutni held that the stronger view is that it is the saying of Abu Burda.

(٣٧١) وَعَنْ أَبِي بُرْدَةَ عَنْ أَبِيهِ، قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «هِيَ مَا بَيْنَ أَنْ يَجْلِسَ الْإِمَامُ إِلَى أَنْ تُقْضَى الصَّلَاةُ». رَوَاهُ مُسْلِمٌ، وَرَجَّحَ الدَّارَقُطْنِيُّ أَنَّه مِنْ قَوْلِ أَبِي بُرْدَةَ.

Ibn Mājah reported from 'Abdullāh bin Salām, and Abū Dā'ud and An-Nasā'i reported from Jābir: "It is between the *'Asr* prayer and sunset."

وَفِي حَدِيثِ عَبْدِ اللهِ بْنِ سَلَامٍ عِنْدَ ابْنِ مَاجَهْ، وَجَابِرٍ عِنْدَ أَبِي دَاوُدَ وَالنَّسَائِيِّ: أَنَّهَا مَا بَيْنَ صَلَاةِ العَصْرِ إِلَى غُرُوبِ الشَّمْسِ.

More than forty different sayings were narrated about this (special fortune time on Friday), and I have detailed them in (my book) *'Sharh Al-Bukhāri'*.

وَقَدِ اخْتُلِفَ فِيهَا عَلَى أَكْثَرَ مِنْ أَرْبَعِينَ قَوْلاً أَمْلَيْتُهَا فِي شَرْحِ البُخَارِيِّ.

372. Narrated Jābir ﷺ: It is decided in the *Sunnah*[3] that the Friday prayer (established/recognized) when forty

(٣٧٢) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: مَضَتِ السُّنَّةُ أَنَّ فِي كُلِّ أَرْبَعِينَ فَصَاعِداً

---

[1] Taking a bath on Friday is a *Sunnah* (supererogatory) act according to the majority of scholars, and it is the most correct opinion. Others, however, view it as *Wājib* (compulsory).

[2] There is a certain time recurring on Friday in which a Muslim's invocation is definitely accepted. The Prophet ﷺ has not specified any particular moment for it. This moment has also been kept secret, similar to *Lailatul-Qadr* (the Night of Decree), so that the people spend more time looking for it, and accrue more reward to their account. There are two popular quotations related to it. The first one advocates that this opportune moment occurs between *'Asr* and sunset. The second one postulates that such a moment occurs while the *Imām* delivers his *Khutba* to the public. Muslims ought to look for it during both of these timings.

[3] The question of how many people should gather at a certain place so as to necessitate the obligation of offering a Friday prayer, is also a disputed one among the scholars. Different

praying persons or more attend it. [Ad-Dāraqutni reported it through a weak chain of narrators.[1]]

جُمُعَةً. رَوَاهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ.

373. Narrated Samura bin Jundub ﷺ: The Prophet ﷺ used to ask for (Allāh's) forgiveness for the believing men and believing women, every *Jumu'a* (Friday prayer). [Al-Bazzār reported it through a weak chain of narrators].

(٣٧٣) وَعَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ يَسْتَغْفِرُ لِلْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ فِي كُلِّ جُمُعَةٍ. رَوَاهُ الْبَزَّارُ بِإِسْنَادٍ لَيِّنٍ.

374. Narrated Jābir bin Samura ﷺ : The Prophet ﷺ used to recite some verses from the Qur'ān in the Friday *Khutba* (religious talk – sermon), reminding[2] the people. [Abū Dā'ud reported, and its basic meaning is in Muslim].

(٣٧٤) وَعَنْ جَابِرِ بْنِ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ فِي الْخُطْبَةِ يَقْرَأُ آيَاتٍ مِّنَ الْقُرْآنِ، يُذَكِّرُ النَّاسَ. رَوَاهُ أَبُو دَاوُدَ، وَأَصْلُهُ فِي مُسْلِمٍ.

375. Narrated Tāriq bin Shihāb[3] ﷺ: Allāh's Messenger ﷺ said, "The Friday prayer in congregation is an obligatory duty upon every Muslim, with the exception of four: a slave, a woman, a child and a sick person." [Reported by Abū Dā'ud, who said that Tāriq did not hear (any *Hadith*) from the Prophet ﷺ. Al-Hākim also reported it from the narration of the aforementioned Tariq, who narrated from Abū Mūsa].

(٣٧٥) وَعَنْ طَارِقِ بْنِ شِهَابٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «الْجُمُعَةُ حَقٌّ وَاجِبٌ عَلَى كُلِّ مُسْلِمٍ فِي جَمَاعَةٍ، إِلَّا أَرْبَعَةً: مَمْلُوكٌ، وَامْرَأَةٌ وَصَبِيٌّ وَمَرِيضٌ» رواه أبو داود وقال: لَمْ يَسْمَعْ طَارِقٌ مِنَ النَّبِيِّ ﷺ، وَأَخْرَجَهُ الْحَاكِمُ مِنْ رِوَايَةِ طَارِقٍ الْمَذْكُورِ عَنْ أَبِي مُوسَى.

376. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "*Jumu'a* prayer is not obligatory on a traveller."[4]

(٣٧٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَيْسَ عَلَى

---

people have mentioned the numbers – three, four, seven, nine, twelve, twenty, forty, fifty and seventy. The fact is that no such number is supported by any *Hadīth*. Both a congregational prayer and a Friday prayer stand valid even if there are just two persons to offer these. This *Hadīth* which states the number as forty is a weak one. It is reported in a *Hadīth* that the first and foremost Friday prayer in Islam was conducted in the village Juwathā.

[1] This *Hadīth* has been reported by 'Abdul 'Aziz bin 'Abdur-Rahmān whose *Ahadīth* have been described by *Hadīth* scholars as 'false', 'fabricated' and himself as 'unreliable'. Therefore this condition for *Al-Jumu'a* prayer does not hold.

[2] He used to instruct people about the fundamentals of Islam, indispensable essentials of religion; and try to dissuade them from the flashy charms of this world, and persuade them to seek the life of the Hereafter.

[3] He is an Ahmusi, a Bajali, a Kufi and lived long both in the *Jahiliya* and Islamic eras. He saw the Prophet ﷺ but did not hear a *Hadīth* from him. He took part in 33 or 34 military expeditions during the caliphate of Abu Bakr and 'Umar. He died in 82 H.

[4] All these *Ahādith* go to explain that there are six kinds of people upon whom the Friday prayer is not obligatory, they are: slaves, women, children, travellers, sick persons and the

[Reported by At-Tabarāni through a weak chain of narrators].

مُسَافِرٍ جُمُعَةٌ». رَوَاهُ الطَّبَرَانِيُّ بِإِسْنَادٍ ضَعِيفٍ.

377. Narrated 'Abdullāh bin Mas'ūd ﷺ: Whenever Allāh's Messenger ﷺ ascended the *Minbar* (to give the Friday *Khutba*), we used to face him. [At-Tirmidhi reported it through a weak chain of narrators. It has a *Shahid* (supporting narration) in the *Hadith* of Al-Bara', reported by Ibn Khuzaima].

(٣٧٧) وَعَنْ عَبْدِ اللهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا اسْتَوَى عَلَى المِنْبَرِ، اسْتَقْبَلْنَاهُ بِوُجُوهِنَا. رَوَاهُ التِّرْمِذِيُّ بِإِسْنَادٍ ضَعِيفٍ. وَلَهُ شَاهِدٌ مِنْ حَدِيثِ البَرَاءِ عِنْدَ ابْنِ خُزَيْمَةَ.

378. Narrated Al-Hakam bin Hazn[1] ﷺ: We attended the Friday prayer with the Prophet ﷺ and he (ﷺ) stood leaning on a staff or a bow..[2] Reported by Abū Dā'ud].

(٣٧٨) وَعَنِ الحَكَمِ بْنِ حَزْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: شَهِدْنَا الجُمُعَةَ مَعَ النَّبِيِّ ﷺ، فَقَامَ مُتَوَكِّئاً عَلَى عَصاً أَوْ قَوْسٍ. رَوَاهُ أَبُو دَاوُدَ.

Chapter 13
SALAT-UL-KHAUF
(PRAYER IN TIME OF FEAR)

١٣ - بَابُ صَلَاةِ الخَوْفِ

379. Narrated Salih bin Khawwāt[3] on the authority of one who offered the Fear prayer with Allāh's Messenger ﷺ at the battle of *Dhātur-Riqā'*[4] that a group (of the army) formed a line along with him and a group faced the enemy. He (ﷺ) led the group which was with him in a *Rak'a*, and then remained standing while they finished their prayer by themselves. They then departed and lined up facing the enemy, and the other party came. He

(٣٧٩) عَنْ صَالِحِ بْنِ خَوَّاتٍ، عَمَّنْ صَلَّى مَعَ النَّبِيِّ ﷺ يومَ ذَاتِ الرِّقَاعِ صَلَاةَ الخَوْفِ: أَنَّ طَائِفَةً مِنْ أَصْحَابِهِ ﷺ صَفَّتْ مَعَهُ، وَطَائِفَةً وِجَاهَ العَدُوِّ، فَصَلَّى بِالَّذِينَ مَعَهُ رَكْعَةً، ثُمَّ ثَبَتَ قَائِماً، وَأَتَمُّوا لِأَنْفُسِهِمْ، ثُمَّ انْصَرَفُوا، فَصَفُّوا وِجَاهَ العَدُوِّ، وَجَاءَتِ الطَّائِفَةُ الأُخْرَى، فَصَلَّى بِهِمُ الرَّكْعَةَ الَّتِي بَقِيَتْ، ثُمَّ ثَبَتَ جَالِساً، وَأَتَمُّوا لِأَنْفُسِهِمْ، ثُمَّ سَلَّمَ بِهِمْ. مُتَّفَقٌ عَلَيْهِ.

---

nomads. Two more categories, i.e. the blind and the lame are mentioned in the Qur'ān. If they perform the Friday prayer, they shall be exempted from praying the noon prayer.

[1] Al-Hakam bin Hazn bin Abu Wahab Al-Makhzumi became a Muslim during the year of the conquest of Makkah and thus attended a *Jumu'a* with the Prophet ﷺ.

[2] This confirms that a person, while delivering the *Khutba* may take the support of some object, to avoid tiredness from a lengthy standing position, or some other reason.

[3] He is Sālih bin Khawwāt bin Jubair bin An-Nu'mān Al-Ansāri Al-Madani. He was one of the prominent *Sahāba* and his *Ahadīth* are very authentic.

[4] *Dhātur-Riqa'* may be translated as 'the one having strips (rags)'. Muslims were suffering from an extreme poverty, and they were bare-footed without shoes. When their feet blistered, they wrapped them with rags and tattered clothes. Thus, this battle came to be known as *Dhātur-Riqa'*.

وَهَذَا لَفْظُ مُسْلِمٍ. وَوَقَعَ فِي المَعْرِفَةِ لابْنِ مَنْدَة: عَنْ صَالِحِ بْنِ خَوَّاتٍ، عَنْ أَبِيهِ.

led them in the remaining *Rak'a* (of his prayer), after which he remained sitting while they finished their prayer by themselves. He then led them in uttering the *Taslīm* (salutation).[1] [Agreed upon]; and this is the wording of Muslim. This (*Hadith*) has been reported in *Al-Ma'rifah* of Ibn Mundah: from Salih ibn Khawwat, from his father.

(٣٨٠) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُما قَالَ: غَزَوْتُ مَعَ رَسُولِ اللهِ ﷺ قِبَلَ نَجْدٍ فَوَازَيْنَا العَدُوَّ، فَصَافَفْنَاهُمْ، فَقَامَ رَسُولُ اللهِ ﷺ، فَصَلَّى بِنَا، فَقَامَتْ طَائِفَةٌ مَعَهُ، وَأَقْبَلَتْ طَائِفَةٌ عَلَى العَدُوِّ، وَرَكَعَ بِمَنْ مَعَهُ، وَسَجَدَ سَجْدَتَيْنِ، ثُمَّ انْصَرَفُوا مَكَانَ الطَّائِفَةِ الَّتِي لَمْ تُصَلِّ، فَجَاءُوا، فَرَكَعَ بِهِمْ رَكْعَةً، وَسَجَدَ سَجْدَتَيْنِ، ثُمَّ سَلَّمَ فَقَامَ كُلُّ وَاحِدٍ مِنْهُمْ، فَرَكَعَ لِنَفْسِهِ رَكْعَةً وَسَجَدَ سَجْدَتَيْنِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

380. Narrated Ibn 'Umar ﷺ: I went on an expedition with Allāh's Messenger ﷺ to Najd,[2] and when we came in front of the enemy we lined up in ranks facing them. Allāh's Messenger ﷺ then stood up and led us in prayer. One group stood up with him while the other faced the enemy. He prayed a *Rak'a* with those who were with him and made two prostrations.Then, they changed places with those who had not prayed. When they came Allāh's Messenger ﷺ prayed a *Rak'a* with them and made two prostrations. He then uttered the *Taslīm* (salutation) and each of them got up and prayed a *Rak'a* alone and made two prostrations.[3] [Agreed upon, and the wording if from Al-Bukhāri].

[1] This *Hadīth* states that the Prophet ﷺ led a prayer consisting of two *Rak'at* and a second *Hadīth* states that he led two prayers consisting of two *Rak'at* each for two different groups of fighters. In as much as the leading of two prayers is mentioned, there is no difference of opinion regarding it. The crux of the matter is that during such a 'prayer of fear', the war-tactics have been taken into consideration. Different methods of praying are authentically proven to have been adopted by the Prophet ﷺ.

Ibn Hazm has referred to fourteen different methods (styles) of praying depending on what a certain situation calls for. Sometimes it was a lengthy prayer and sometimes a short one. Sometimes it was with one manner and sometime with another. The name of the Companion of the Prophet ﷺ from whom this *Hadīth* has been narrated, is not mentioned. According to another reference, his name has been stated as Sahl bin Abī Hathma.

[2] Najd is the name of that part of the Arabian Peninsula where highlands and hills are situated.

[3] It appears from this *Hadīth* that the Prophet ﷺ led one *Rak'at* each to two different groups while each group offered the other *Rak'at* by itself. Apparently, this situation coincides with the Qur'ān.

381. Narrated Jābir ﷺ: I witnessed *Salāt-al-Khauf* with Allāh's Messenger ﷺ and we lined up in two rows behind him with the enemy between us and the *Qiblah*. The Prophet ﷺ uttered the *Takbīr* and we all uttered it; then he bowed and we all bowed; then he raised his head after bowing and we all raised ours; then he and the row immediately behind him went down in prostration while the rear row stood facing the enemy. Then, when Allāh's Messenger ﷺ finished the prostration and the row immediately behind him stood up, the rear row went down in prostration; then they stood up. Then, the rear row went to the front and the front row to the rear. Then, the Prophet ﷺ bowed and we all bowed; then he raised his head after bowing and we all raised ours; then he and the row immediately following him – which had been in the rear in the first *Rak'a* – went down in prostration while the rear row stood up facing the enemy. Then, when the Prophet ﷺ and the row immediately following him finished the prostration, the rear row went down and prostrated. Finally, the Prophet ﷺ uttered the *Taslīm* (salutation) and we all did so.[1] [Reported by Muslim].

(٣٨١) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: شَهِدْتُ مَعَ رَسُولِ اللهِ ﷺ صَلَاةَ الخَوْفِ، فَصَفَفْنَا صَفَّيْنِ، صَفٌّ خَلْفَ رَسُولِ اللهِ ﷺ، وَالعَدُوُّ بَيْنَنَا وَبَيْنَ القِبْلَةِ، فَكَبَّرَ النَّبِيُّ ﷺ، وَكَبَّرْنَا جَمِيعاً، ثُمَّ رَكَعَ، وَرَكَعْنَا جَمِيعاً، ثُمَّ رَفَعَ رَأْسَهُ مِنَ الرُّكُوعِ، وَرَفَعْنَا جَمِيعاً، ثُمَّ انْحَدَرَ بِالسُّجُودِ، وَالصَّفُّ الَّذِي يَلِيهِ، وَقَامَ الصَّفُّ المُؤَخَّرُ فِي نَحْرِ العَدُوِّ، فَلَمَّا قَضَى السُّجُودَ قَامَ الصَّفُّ الَّذِي يَلِيهِ، فَذَكَرَ الحَدِيثَ.

Abū Dā'ud has reported from Abū 'Aiyāsh Az-Zuraqi[2] ﷺ similarly, and he added: "it was in Usfān."[3]

وَفِي رِوَايَةٍ: ثُمَّ سَجَدَ، وَسَجَدَ مَعَهُ الصَّفُّ الأَوَّلُ، فَلَمَّا قَامُوا سَجَدَ الصَّفُّ الثَّانِي، ثُمَّ

[1] The mode (of the prayer) in this *Hadīth* appears to be contrary to the Qur'anic Verse. However, the Fear prayer (*Salātal-Khauf*) has been performed in different modes keeping in view the gravity of differing circumstances.* *Salātal-Khauf* is two *Rak'at* for the *Imām*. According to Nasā'i, it is mentioned in a *Hadīth* narrated by Jābir رضي الله عنه that the Prophet ﷺ led two *Rak'at* each for each of the two groups. In this situation, the *Imām* prayed four *Rak'at*, out of which two of them are his *Fard* and the other two are his *Nafl*.

[2] His name is Zaid bin Thābit who is an Ansāri and a Zurāqi. A group of Muslims reported *Hadīth* from him and he died after 40 H.

[3] Usfān is the name of a place which is located at a distance of two *Manzil* (about two-days journey) from Makkah.

تَأَخَّرَ الصَّفُّ الأَوَّلُ، وَتَقَدَّمَ الصَّفُّ الثَّانِي، وَذَكَرَ مِثْلَهُ، وَفِي آخِرِهِ: ثُمَّ سَلَّمَ النَّبِيُّ ﷺ، وَسَلَّمْنَا جَمِيعاً. رَوَاهُ مُسْلِمٌ. وَلِأَبِي دَاوُدَ عَنْ أَبِي عَيَّاشٍ الزُّرَقِيِّ مِثْلُهُ، وَزَادَ: إِنَّهَا كَانَتْ بِعُسْفَانَ.

An-Nasā'i reported this narration – through another chain of narrators – from Jābir ؓ: The Prophet ﷺ led a group of his Companions in two *Rak'at* after which he uttered the *Taslīm* (salutation). Then he led another group in two *Rak'at* after which he uttered the *Taslīm* (salutation)." Abū Dā'ud has reported similarly from Abū Bakra ؓ

وَلِلنَّسَائِيِّ مِنْ وَجْهٍ آخَرَ عَنْ جَابِرٍ: أَنَّ النَّبِيَّ ﷺ صَلَّى بِطَائِفَةٍ مِنْ أَصْحَابِهِ رَكْعَتَيْنِ، ثُمَّ سَلَّمَ، ثُمَّ صَلَّى بِآخَرِينَ أَيْضاً رَكْعَتَيْنِ، ثُمَّ سَلَّمَ. وَمِثْلُهُ لِأَبِي دَاوُدَ عَنْ أَبِي بَكْرَةَ.

382. Narrated Hudhaifa ؓ: The Prophet ﷺ performed *Salātal-Khauf* leading these (Companions) in one *Rak'a* and those (other Companions) in one *Rak'a*, and they did not make up the second *Rak'a*. [Reported by Ahmad, Abū Dā'ud and An-Nasā'i. Ibn Hibbān graded it *Sahih* (authentic)]. Ibn Khuzaima has reported it similarly from Ibn 'Abbās ؓ .

(٣٨٢) وَعَنْ حُذَيْفَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ صَلَّى صَلَاةَ الخَوْفِ بِهٰؤُلَاءِ رَكْعَةً، وَهٰؤُلَاءِ رَكْعَةً، وَلَمْ يَقْضُوا. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَمِثْلُهُ عِنْدَ ابْنِ خُزَيْمَةَ عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا.

383. Narrated Ibn 'Umar ؓ: Allāh's Messenger ﷺ said, "The prayer in time of danger is one *Rak'a*, in whatever manner it is (performed)."[1] [Al-Bazzār reported it through a weak chain of narrators].

(٣٨٣) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «صَلَاةُ الخَوْفِ رَكْعَةٌ عَلَى أَيِّ وَجْهٍ كَانَ». رَوَاهُ البَزَّارُ بِإِسْنَادٍ ضَعِيفٍ.

384. Narrated (Ibn 'Umar) ؓ [This *Hadīth* is] attributed to the Prophet ﷺ "There is no *Sahw* (prostration for forgetfulness) in the prayer in time of danger." [Ad-Dāraqutni reported it through a weak chain of narrators].

(٣٨٤) وَعَنْهُ مَرْفُوعاً: لَيْسَ فِي صَلَاةِ الخَوْفِ سَهْوٌ. أَخْرَجَهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ.

[1] From this *Hadīth* some people deduce and conclude that there is one *Rak'a* each, both on the follower and *Imām*. Sufyān also follows the same view.

Chapter 14
THE PRAYERS OF THE TWO *'EID*[1] (FESTIVALS)

١٤ - بَابُ صَلَاةِ العِيدَيْنِ

385. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ said : "(*'Eid*) *Al-Fitr* is the day on which the people break the fast, and (*'Eid*) *Al-Adha* is the day the people offer sacrifices."[2] [Reported by At-Tirmidhi].

(٣٨٥) عَنْ عائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «الفِطْرُ يَوْمَ يُفْطِرُ النَّاسُ، وَالأَضْحَى يَوْمَ يُضَحِّي النَّاسُ». رَوَاهُ التِّرْمِذِيُّ.

386. Narrated Abū 'Umair bin Anas bin Mālik[3] (ﷺ) on the authority of some of his paternal uncles who were among the Companions, that some riders came and testified that they had seen the new moon the previous day. The Prophet ﷺ therefore commanded the people to break the fast and go out to their place of prayer in the morning.[4] [Reported by Ahmad and Abū Dā'ud. This is Abū Dā'ud's wording and its *Isnād* is *Sahih* (authentic)].

(٣٨٦) وَعَنْ أَبِي عُمَيْرِ بْنِ أَنَسٍ، عَنْ عُمُومَةٍ لَّهُ مِنَ الصَّحَابَةِ، أَنَّ رَكْباً جَاءُوا، فَشَهِدُوْا أَنَّهُمْ رَأَوُا الهِلَالَ بِالأَمْسِ، فَأَمَرَهُمُ النَّبِيُّ ﷺ أَنْ يُفْطِرُوا، وَإِذَا أَصْبَحُوا أَنْ يَغْدُوا إِلَى مُصَلَّاهُمْ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَهَذَا لَفْظُهُ، وَإِسْنَادُهُ صَحِيحٌ.

387. Narrated Anas ﷺ: Allāh's Messenger ﷺ would not go out on the day of the breaking of the fast till he ate some dates, which he used to eat in

(٣٨٧) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ لَا يَغْدُو يَومَ الفِطْرِ حَتَّى يَأْكُلَ تَمَرَاتٍ (يأْكُلُهُنَّ وِتْرَاتٍ). أَخْرَجَهُ

[1] The prayer of *'Eidain* (two *'Eid*) is *Sunnat Mu'akkada* (offered regularly by the Prophet ﷺ – hence a definite *Sunnah*). Some scholars consider it *Fard Kifaya* (a collective duty – an obligation which, if performed by some, suffices for the rest, as it is not essential that it be performed by all). Others maintain that it is *Fard 'Ain* (an individual duty – an obligation essential to be performed by each individual). The first position is more correct.

[2] This *Hadīth* implies that in order to observe *'Eidul-Fitr* and *'Eidul-Adha* prayers, it is necessary to act along with the masses of people – under the authority of the Muslim Ruler. If someone sights the crescent of Shawwāl and his testimony is not accepted, he can neither break his fast nor can be celebrate *'Eid* alone. Similarly, he can neither offer a sacrifice nor offer a prayer on the other *'Eid*. He can do so only on the condition that the general body of Muslims also do so.

[3] His name is 'Abdullāh bin Anas bin Mālik Al-Ansāri and he was the eldest of Anas' children. He was a reliable narrator of the 4th grade and was one of the young *Tābi'in*. He lived for a long time after his father.

[4] This clarifies that in case the moon is not sighted on the 29th of Ramadān, but the next day an authentic news of a confirmed sighting of the moon arrives that the same has been sighted at such and such place, the fasting should be broken in general then and there. If the confirmation arrives prior to *Zawāl* time (decline of the sun), *'Eid* prayer should be offered the same day. If the same is confirmed after *Zawāl* time, it should be offered the following day.

odd numbers. [Al-Bukhāri reported it]. A *Mu'allaq* narration (broken chain from the side of the *Hadith* collector, i.e. Al-Bukhari) – but connected by Ahmad – Has: "and he used to them one by one."

البُخَارِيُّ، وَفِي رِوَايَةٍ مُعَلَّقَةٍ - وَوَصَلَها أَحْمَدُ - : (وَيَأْكُلُهُنَّ أَفْرَاداً).

388. Narrated Ibn Buraida on the authority of his father: Allāh's Messenger ﷺ would not go out on the day of breaking of the fast till he had some food, and he would not to take any food on the day of sacrifice[1] till he had prayed (the *'Eid* prayer). [Reported by Ahmad and At-Tirmidhi; Ibn Hibbān graded it *Sahih* (authentic)].

(٣٨٨) وَعَنِ ابْنِ بُرَيْدَةَ، عَنْ أَبِيهِ قَالَ: كَانَ رَسُولُ اللهِ ﷺ لَا يَخْرُجُ يَوْمَ الفِطْرِ حَتَّى يَطْعَمَ، وَلَا يَطْعَمُ يَوْمَ الأَضْحَى حَتَّى يُصَلِّيَ. رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

389. Narrated Umm 'Atiya رضي الله عنها: We were commanded[2] to bring out on *'Eidul-Fitr* and *'Eidul-Adha*, the young women and the menstruating women to participate in the goodness and supplications of the Muslims. However, the menstruating women would refrain from the (actual) place of prayer .[3] [Agreed upon].

(٣٨٩) وَعَنْ أُمِّ عَطِيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: أُمِرْنَا أَنْ نُخْرِجَ العَوَاتِقَ والحُيَّضَ فِي العِيدَيْنِ، يَشْهَدْنَ الخَيْرَ وَدَعْوَةَ المُسْلِمِينَ، وَتَعْتَزِلُ الحُيَّضُ المُصَلَّى. مُتَّفَقٌ عَلَيْهِ.

390. Narrated Ibn 'Umar رضي الله عنهما: Allāh's Messenger ﷺ, Abū Bakr and 'Umar (رضي الله عنهما) used to offer the *'Eid* prayer before the *Khutba* (religious talk – sermon).[4] [Agreed upon].

(٣٩٠) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ رَسُولُ اللهِ ﷺ وَأَبُو بَكْرٍ وَعُمَرُ يُصَلُّونَ العِيدَيْنِ قَبْلَ الخُطْبَةِ. مُتَّفَقٌ عَلَيْهِ.

[1] This *Hadīth* informs us that it is in accordance with *Sunnah* to eat something before *'Eidul-Fitr* prayer, and after *'Eidul-Adha* prayer. Keeping in view the tradition of the Prophet ﷺ dates are preferable.

[2] This *Hadīth* tells us that it is preferable to women to go to *Musallal-'Eid* (praying place for offering *'Eid* prayer) and pray there along with men. Such a preferance is given to them so that they too may participate in supplication and its accompanying blessings.

[3] Some people interpret this *Hadīth* maintaining the view that it was allowed during the early days of Islam so that the volume of the Muslim populace may appear to be seemingly abundant. But the permission for the women to come out was revoked later on. To answer their argument effectively, it is sufficient to quote a *Hadīth* narrated by 'Abdullāh bin 'Abbās رضي الله عنهما which states that even after the conquest of Makkah, he has seen the women going to the *Musallal-'Eid*.

[4] According to *Sunnah*, the *Khutba* is to be delivered after the prayer, and there is no difference of opinion about it. During the era of Bani Umaiya, Marwān put an innovation into effect that the *Khutba* should precede the prayer, but this practice has no value in Islam.

391. Narrated Ibn 'Abbās ؓ: The Prophet ﷺ offered two *Rak'at*[1] on the day of *'Eid*, and did not pray before or after them.[2] [Reported by *As-Sab'a*].

(٣٩١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ صَلَّى يَوْمَ العِيدِ رَكْعَتَيْنِ، لَمْ يُصَلِّ قَبْلَهُمَا وَلَا بَعْدَهُمَا. أَخْرَجَهُ السَّبْعَةُ.

392. Narrated (Ibn 'Abbās) ؓ: The Prophet ﷺ offered the *'Eid* prayer without an *Adhān* or an *Iqāma*. [Reported by Abū Dā'ud; and its basic meaning is in *Al-Bukhārī*].

(٣٩٢) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ صَلَّى العِيدَ بِلَا أَذَانٍ وَلَا إِقَامَةٍ. أَخْرَجَهُ أَبُو دَاوُدَ وَأَصْلُهُ فِي البُخَارِيِّ.

393. Narrated Abū Sa'īd ؓ: The Prophet ﷺ never used to offer any prayer before the *'Eid* prayer. But when he went back home, he used to pray two *Rak'at*. [Reported by Ibn Mājah through a *Hasan* (good) chain of narrators].

(٣٩٣) وَعَنْ أَبِي سَعِيدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ لَا يُصَلِّي قَبْلَ العِيدِ شَيْئاً، فَإِذَا رَجَعَ إِلَى مَنْزِلِهِ صَلَّى رَكْعَتَيْنِ. رَوَاهُ ابْنُ مَاجَهْ بِإِسْنَادٍ حَسَنٍ.

394. Narrated (Abū Sa'īd) ؓ: The Prophet ﷺ used to go out on the day of the breaking of the fast and the day of sacrifice to the place of prayer, and the first thing he would start with was the prayer. When he finished he would stand facing the people, who were seated in their rows, and he would then preach to them and command them. [Agreed upon].

(٣٩٤) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ يَخْرُجُ يَومَ الفِطْرِ وَالأَضْحَى إِلَى المُصَلَّى، وَأَوَّلُ شَيْءٍ يَبْدَأُ بِهِ الصَّلَاةُ، ثُمَّ يَنْصَرِفُ، فَيَقُومُ مُقَابِلَ النَّاسِ - وَالنَّاسُ عَلَى صُفُوفِهِمْ - فَيَعِظُهُمْ وَيَأْمُرُهُمْ. مُتَّفَقٌ عَلَيْهِ.

395. Narrated 'Amr bin Shu'aib from his father on the authority of his grand father: The Prophet of Allah ﷺ said, "The *Takbīr* in (*'Eid*) *Al-Fitr* prayer are seven in the first *Rak'a*[3] and five in

(٣٩٥) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ قَالَ: قَالَ نَبِيُّ اللهِ ﷺ: «التَّكْبِيرُ فِي الفِطْرِ سَبْعٌ فِي الأُولَى، وَخَمْسٌ فِي الأُخْرَى، وَالقِرَاءَةُ بَعْدَهُمَا كِلْتَيْهِمَا». أَخْرَجَهُ أَبُو دَاوُدَ،

[1] If a person fails to join the *'Eid* prayer behind the *Imām*, and prays alone, Ahmad and Ath-Thawri hold that he should offer four *Rak'at*. Other scholars hold that he may offer it as two *Rak'ah*, while Abu Hanifa holds that one may choose between offering the missed *'Eid* prayer as two or four *Rak'ah*. (Refer to *Fathul-'Allām* 2/521).

[2] No *Nafl* (voluntary prayer) is to be offered before or after *'Eid* prayer in the *Musalla* (*'Eid* praying place). However, after returning to one's home, it is permissible to offer two *Rak'ah* of *Nafl* prayer.

[3] There is a difference of opinion among scholars about the reports related to the number of *Takbirātul-'Eidain* and their situations, the more correct manner among them is the one mentioned in this *Hadīth*. Some people act upon the *Hadīth* narrated by Ibn Mas'ūd رضي الله عنه in which besides *Takbīr Iftitah* and *Takbīr Ruku'*, there are six extra *Takbirāt*, three of which are to be pronounced in the first *Rak'a* prior to the recitation and the remaining three in the second *Rak'a* after the recitation. In the matter of correctness and propriety, the

the second, and the recitation of the Qur'ān in both is after the *Takbīr*." [Reported by Abū Dā'ud. At-Tirmidhi transmitted its *Tasbih* (grading of authenticity) from Al-Bukhāri].

وَنَقَلَ التِّرْمِذِيُّ عَنِ البُخَارِيِّ تَصْحِيحَهُ.

396. Narrated Abū Wāqid Al-Laithi ﷺ: The Prophet ﷺ used to recite on (*'Eid*) *Al-Adha* and (*'Eid*) *Al-Fitr*, *Sūrat Qāf* (No. 50) and *Sūrat Al-Qamar* (No. 54) [Reported by Muslim].

(٣٩٦) وَعَنْ أَبِي وَاقِدٍ اللَّيْثِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ يَقْرَأُ فِي الأَضْحَى وَالفِطْرِ بِـ «قٓ، وَاقْتَرَبَتْ». أَخْرَجَهُ مُسْلِمٌ.

397. Narrated Jābir ﷺ: On an *'Eid* day, Allāh's Messenger ﷺ would return by a different road[1] from the one he had taken when going out (for the *'Eid* prayer.) [Reported by Al-Bukhāri]. Abū Dā'ud has a similar report from Ibn 'Umar (ﷺ).

(٣٩٧) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا كَانَ يَوْمُ العِيدِ خَالَفَ الطَّرِيقَ. أَخْرَجَهُ البُخَارِيُّ، وَلأَبِي دَاوُدَ عَنِ ابْنِ عُمَرَ نَحْوُهُ.

398. Narrated Anas ﷺ that when Allah's Messenger ﷺ came to Al-Madīnah, the people had two days on which they engaged in games. He (ﷺ) said, "Allāh has substituted for you something better than them: the day of sacrifice and the day of breaking the fast." [Reported by Abū Dā'ud and An-Nasā'i; with a *Sahih Isnād* (authentic chain)].

(٣٩٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَدِمَ رَسُولُ اللهِ ﷺ المَدِينَةَ، وَلَهُمْ يَوْمَانِ يَلْعَبُونَ فِيهِمَا، فَقَالَ: قَدْ أَبْدَلَكُمُ اللَّهُ بِهِمَا خَيْراً مِّنْهُمَا: يَوْمَ الأَضْحَى، وَيَوْمَ الفِطْرِ. أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ بِإِسْنَادٍ صَحِيحٍ.

399. Narrated 'Ali ﷺ: It is *Sunnah* to go to the *'Eid* (prayer) walking. [Reported by At-Tirmidhi who graded it *Hasan* (good)].

(٣٩٩) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: مِنَ السُّنَّةِ أَنْ يَخْرُجَ إِلَى العِيدِ مَاشِياً. رَوَاهُ التِّرْمِذِيُّ، وَحَسَّنَهُ.

400. Narrated Abū Huraira ﷺ: It rained on an *'Eid* day, so the Prophet ﷺ led them (the people) in the *'Eid* prayer in the mosque.[2] [Reported by Abū Dā'ud with a *Laiyin* (weak) *Isnād*].

(٤٠٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُمْ أَصَابَهُمْ مَطَرٌ فِي يَوْمِ عِيدٍ، فَصَلَّى بِهِمُ النَّبِيُّ ﷺ صَلاَةَ العِيدِ فِي الْمَسْجِدِ. رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ لَيِّنٍ.

Hadīth narrated by Ibn Mas'ūd stands nowhere.

[1] That is, while going to *Musallal-'Eid*, he adopted a certain route. Then, while coming back from there he chose a different one, for the reason that different places may testify to the worship and the splendour of Islam may become prominent.

[2] This *Hadīth* clarifies that in case it becomes difficult to perform a prayer in a *Musallal-'Eid*, due to an excuse, it is permissible to perform the same in a mosque.

Chapter 15
SALAT AL-KUSUF[1]
(PRAYER AT AN ECLIPSE)

١٥ - بَابُ صَلَاةِ الْكُسُوفِ

401. Narrated Mughira bin Shu'ba ﷺ: That there was a solar eclipse in the time of Allāh's Messenger ﷺ on the day his son Ibrāhim[2] died. The people said, "The eclipse of the sun has happened due to the death of Ibrāhim." Allāh's Messenger ﷺ said, "The sun and the moon are two of Allāh's signs; they are not eclipsed due to the death or the life[3] of anyone. So when you see them (the eclipse of the moon or sun) supplicate to Allāh and offer prayers until the eclipse is over.[4] " [Agreed upon]. In a narration of Al-Bukhāri it has: "till it becomes bright."

(٤٠١) عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: انْكَسَفَتِ الشَّمْسُ عَلَى عَهْدِ رَسُولِ اللهِ ﷺ يَوْمَ مَاتَ إِبْرَاهِيمُ، فَقَالَ النَّاسُ: انْكَسَفَتِ الشَّمْسُ لِمَوْتِ إِبْرَاهِيمَ، فَقَالَ رَسُولُ اللهِ ﷺ: «إِنَّ الشَّمْسَ وَالْقَمَرَ آيَتَانِ مِنْ آيَاتِ اللهِ، لَا يَنْكَسِفَانِ لِمَوْتِ أَحَدٍ وَلَا لِحَيَاتِهِ، فَإِذَا رَأَيْتُمُوهُمَا فَادْعُوا اللَّهَ وَصَلُّوا، حَتَّى تَنْكَشِفَ». مُتَّفَقٌ عَلَيْهِ. وَفِي رِوَايَةٍ لِلْبُخَارِيِّ: «حَتَّى تَنْجَلِيَ».

Al-Bukhāri's narration from Abū Bakra ﷺ has: Pray and supplicate (to Allāh) till (the eclipse) is over."

وَلِلْبُخَارِيِّ مِنْ حَدِيثِ أَبِي بَكْرَةَ: «فَصَلُّوا، وَادْعُوا، حَتَّى يَنْكَشِفَ مَا بِكُمْ».

402. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ recited (from the Qur'ān) in an audible voice[5] in the prayer at an eclipse, and prayed two *Rak'at* in

(٤٠٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ جَهَرَ فِي صَلَاةِ الْكُسُوفِ بِقِرَاءَتِهِ، فَصَلَّى أَرْبَعَ رَكَعَاتٍ، فِي رَكْعَتَيْنِ وَأَرْبَعَ

[1] The meaning of the words *Kusūf* and *Khusūf* (the solar and lunar eclipse) is "to become changed". The word *Khusūf* is usually applied to a lunar eclipse, whereas *Kusūf* is applied to a solar one; but these are also used interchangably.

[2] His mother was Maria, the Egyptian, wife of Allāh's Messenger ﷺ and a former slave,given to him as a gift by Al-Muqawqis the ruler of Alexandria and Egypt. Ibrāhim was born in Jumada-al-Ula 9 H. and died on 29 Shawwāl 11 H. at the age of 18 months. He was buried at Al-Baqi' and he (ﷺ) said, "He has someone to complete his suckling period in Paradise."

[3] In the days of *Jahiliya* (pre-Islamic period), people used to believe that whenever a person of eminence is either born or passes away, a solar or lunar eclipse takes place. The Prophet ﷺ refuted this idea.

[4] This prayer is unanimously regarded as *Sunnah*. It consists of two *Rak'at*, with two *Ruku'* (bowing) in each *Rak'a*. As this prayer has been instructed to be offered at the sighting of an eclipse, the majority of the scholars have maintained that it be performed even during those hours during which prayers are normally not performed. Furthermore, there are various other modes also related to the offering of this prayer but they are all faulty.

[5] Whether the lunar and solar Eclipse prayers be offered in an audible voice or an inaudible one is again a disputed point. However, offering it in an audible voice is proven from a *Marfu' Hadīth* (attributed to the Prophet).

which he bowed four times[1] and prostrated four times." [Agreed upon. This is the wording of Muslim]. In another narration of Muslim: "He ﷺ sent an announcer to announce: The prayer is (to be offered) in congregation".[2]

سَجَدَاتٍ. مُتَّفَقٌ عَلَيْهِ، وَهَذَا لَفْظُ مُسْلِمٍ. وَفِي رِوَايَةٍ لَهُ: فَبَعَثَ مُنَادِياً يُنَادِي «اَلصَّلَاةُ جَامِعَةٌ».

403. Narrated Ibn 'Abbās ﷺ: There was an eclipse of the sun in the life-time of Allāh's Messenger ﷺ and then he prayed and stood for a long time, about as long as it would take to recite *Sūrat Al-Baqarah*. Then, he bowed for a long time, and then he raised his head and stood for a long time, which was less than the first standing. Then, he bowed again for a long time, which was less than the first bowing. Then, he prostrated (twice) and then he stood for a long time, which was less than the first time standing. Then, he bowed for a long time, which was less than the first bowing. Then, he raised his head and stood up for a long time, which was less than the first standing. Then, he bowed for a long time, which was less than the first bowing. Then he prostrated (twice), and then he finished (the prayer), and the sun had become bright. He then delivered a ***Khutba*** (religious talk, sermon).[3] [Agreed upon]. And the wording is Al-Bukhāri's.

(٤٠٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: انْخَسَفَتِ الشَّمْسُ عَلَى عَهْدِ رَسُولِ اللهِ ﷺ فَصَلَّى، فَقَامَ قِيَاماً طَوِيلاً نَحْواً مِّنْ قِرَاءَةِ سُورَةِ الْبَقَرَةِ، ثُمَّ رَكَعَ رُكُوعاً طَوِيلاً، ثُمَّ رَفَعَ، فَقَامَ قِيَاماً طَوِيلاً، وَهُوَ دُونَ الْقِيَامِ الْأَوَّلِ، ثُمَّ رَكَعَ رُكُوعاً طَوِيلاً، وَهُوَ دُونَ الرُّكُوعِ الْأَوَّلِ، ثُمَّ سَجَدَ، ثُمَّ قَامَ قِيَاماً طَوِيلاً، وَهُوَ دُونَ الْقِيَامِ الْأَوَّلِ، ثُمَّ رَكَعَ رُكُوعاً طَوِيلاً، وَهُوَ دُونَ الرُّكُوعِ الْأَوَّلِ، ثُمَّ رَفَعَ، فَقَامَ قِيَاماً طَوِيلاً، وَهُوَ دُونَ الْقِيَامِ الْأَوَّلِ، ثُمَّ رَكَعَ رُكُوعاً طَوِيلاً، وَهُوَ دُونَ الرُّكُوعِ الْأَوَّلِ، ثُمَّ رَفَعَ رَأْسَهُ، ثُمَّ سَجَدَ، ثُمَّ انْصَرَفَ، وَقَدِ انْجَلَتِ الشَّمْسُ، فَخَطَبَ النَّاسَ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

In a narration of Muslim: "When there was an eclipse of the sun, Allāh's Messenger ﷺ performed eight bowings with four prostrations [in a two ***Rak'ah*** prayer for Eclipse]"

وَفِي رِوَايَةٍ لِّمُسْلِمٍ: صَلَّى حِينَ كُسِفَتِ الشَّمْسُ ثَمَانِيَ رَكَعَاتٍ فِي أَرْبَعِ سَجَدَاتٍ.

Muslim reported from 'Ali ﷺ similarly.

He also reported from Jābir ﷺ: "He

[1] Contrary to other prayers, this prayer is with two ***Ruku'*** (bowings) in each ***Rak'a***.

[2] According to the sound ***Hadīth*** this manner of calling – for any other prayer except the Eclipse prayer – is not approved.

[3] It is known from this ***Hadīth*** that ***Khutba*** (religious talk, sermon) is also delivered with the Eclipse prayer.

(Allāh's Messenger ﷺ) performed six bowings with four prostrations [in a two *Rak'ah* prayer for Eclipse]."

وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مِثْلُ ذَلِكَ.

وَلَهُ عَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: صَلَّى سِتَّ رَكَعَاتٍ بِأَرْبَعِ سَجَدَاتٍ.

Narrated Ubai bin Ka'b ﷺ: "He (the Prophet ﷺ) prayed (the Eclipse prayer) and bowed five times and prostrated twice (in the first *Rak'ah*), and in the second *Rak'a* he also did the same." [Abu Dā'ud]

وَلِأَبِي دَاوُدَ عَنْ أُبَيِّ بْنِ كَعْبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: صَلَّى، فَرَكَعَ خَمْسَ رَكَعَاتٍ، وَسَجَدَ سَجْدَتَيْنِ، وَفَعَلَ فِي الثَّانِيَةِ مِثْلَ ذَلِكَ.

404. Narrated Ibn 'Abbās ﷺ: No wind ever blew without the Prophet ﷺ getting down on his knees and saying, "O Allāh, make it a mercy and do not make it a punishment." [Reported by Ash-Shāfi'i and At-Tabarāni].

(٤٠٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: مَا هَبَّتِ الرِّيحُ قَطُّ، إِلَّا جَثَا النَّبِيُّ ﷺ عَلَى رُكْبَتَيْهِ، وَقَالَ: «اللَّهُمَّ اجْعَلْهَا رَحْمَةً، وَلَا تَجْعَلْهَا عَذَاباً». رَوَاهُ الشَّافِعِيُّ وَالطَّبَرَانِيُّ.

405. Narrated (Ibn 'Abbās) ﷺ: He (the Prophet ﷺ) prayed during an earthquake six bowings and four prostrations, and said, "This is the way the Prayer of the Signs (of Allah)[1] (صلاة الآيات) is offered. [Reported by Al-Baihaqi. Ash-Shāfi'i reported a similar *Hadīth* without its end through 'Ali bin Abū Talib ﷺ.

(٤٠٥) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ ﷺ صَلَّى فِي زَلْزَلَةٍ سِتَّ رَكَعَاتٍ، وَأَرْبَعَ سَجَدَاتٍ، وَقَالَ: هٰكَذَا صَلَاةُ الآيَاتِ. رَوَاهُ الْبَيْهَقِيُّ، وَذَكَرَ الشَّافِعِيُّ عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مِثْلَهُ، دُونَ آخِرِهِ.

Chapter 16
SALAT-UL-ISTISQA[2]
(PRAYER FOR RAIN)

١٦ - بَابُ صَلَاةِ الاسْتِسْقَاءِ

406. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ went out (of Al-Madinah, to pray for rain) humbling (himself), wearing rough clothes, submissive, walking slowly, supplicating (Allah). Then, he offered two *Rak'at* in the

(٤٠٦) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: خَرَجَ النَّبِيُّ ﷺ مُتَوَاضِعاً، مُتَبَذِّلاً، مُتَخَشِّعاً، مُتَرَسِّلاً، مُتَضَرِّعاً، فَصَلَّى رَكْعَتَيْنِ، كَمَا يُصَلِّي فِي الْعِيدِ، لَمْ يَخْطُبْ خُطْبَتَكُمْ

[1] This *Hadīth* tells us that in the event of an untoward occurrence, whether an earthly disaster (i.e. an earthquake, an avalanche, etc.) or a catastrophe descending from the sky (i.e. a hurricane, sand-storm, snow-storm, etc.) which inflicts pain and grief on the creatures, people must immediately take upon themselves to offer this prayer which is known as *Salātul-Ayāt*.

[2] The lexical meaning of *Istisqa'* is "to demand or to ask for water". In the terminology of *Shari'a* (Islamic law), it is typically used for conducting a special prayer gathering wherein supplications are offered to invoke rain. *Istisqa'* is of three kinds: 1) *Adna* (the least one). 2)

same way he prayed *'Eid,*[1] but did not deliver your kind of *Khutba*[2] (religious talk, sermon). [Reported by *Al-Khamsa*; and At-Tirmidhi, Abu 'Awana and Ibn Hibbān graded it *Sahih* (authentic)].

هٰذِهِ. رَوَاهُ الخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَأَبُو عَوَانَةَ وَابْنُ حِبَّانَ.

407. Narrated 'Aisha ﷺ: The people complained to Allāh's Messenger ﷺ of the lack of rain. So, he gave orders for a *minbar,* which was put for him at the prayer place. He then fixed a day for the people to come out. And he (ﷺ) came out when the edge of the sun appeared, sat down on the *Minbar* pronounced the greatness of Allāh and expressed His praise. Then, he said, "You have complained of drought in your abodes. Allāh has ordered you to supplicate Him, and promised that He would answer (your supplications)." Then he ﷺ said: All Praise is due to Allāh, the *Rabb* (Lord) of the universe, the Compassionate, the Merciful, the Master of the Day of Judgement; nothing deserves to be worshipped except Allāh, Who does what He wills. O Allāh! You are Allāh, nothing deserves to be worshipped except You; You are the Rich, and we are the poor;

(٤٠٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: شَكَا النَّاسُ إِلَى رَسُولِ اللهِ ﷺ قُحُوطَ المَطَرِ، فَأَمَرَ بِمِنْبَرٍ، فَوُضِعَ لَهُ فِي المُصَلَّى، وَوَعَدَ النَّاسَ يَوْماً يَخْرُجُونَ فِيهِ، فَخَرَجَ حِينَ بَدَا حَاجِبُ الشَّمْسِ، فَقَعَدَ عَلَى المِنْبَرِ، فَكَبَّرَ وَحَمِدَ اللَّهَ، ثُمَّ قَالَ: إِنَّكُمْ شَكَوْتُمْ جَدْبَ دِيَارِكُمْ، وَقَدْ أَمَرَكُمُ اللَّهُ أَنْ تَدعوهُ، وَوَعَدَكُمْ أَن يَسْتَجِيبَ لَكُمْ، ثُمَّ قَالَ: اَلْحَمْدُ للهِ رَبِّ العَالَمِينَ، الرَّحْمَنِ الرَّحِيمِ، مَالِكِ يَوْمِ الدِّينِ، لَا إِلَهَ إِلَّا اللَّهُ، يَفْعَلُ مَا يُرِيدُ، اللَّهُمَّ أَنْتَ اللَّهُ، لَا إِلَهَ إِلَّا أَنْتَ، أَنْتَ الغَنِيُّ، وَنَحْنُ الفُقَرَاءُ، أَنْزِلْ عَلَيْنَا الغَيْثَ، وَاجْعَلْ مَا أَنْزَلْتَ عَلَيْنَا قُوَّةً وَبَلَاغاً إِلَى حِينٍ. ثُمَّ رَفَعَ يَدَيْهِ، فَلَمْ يَزَلْ حَتَّى رُئِيَ بَيَاضُ إِبِطَيْهِ، ثُمَّ حَوَّلَ إِلَى النَّاسِ ظَهْرَهُ، وَقَلَّبَ رِدَاءَهُ، وَهُوَ رَافِعٌ يَدَيْهِ،

Awsat (the middle one). 3) *A'la* (the superior one). *Adna* implies a verbal supplication only. *Awsat* stands for a verbal supplication (in congregation) after offering an obligatory (*Fard*) prayer. *A'la* calls for conducting a special congregational prayer to invoke rain. The correct form of *Istisqa'* prayer is that two *Rak'at* are offered. The recitation is made in an audible voice followed by two *Khutba* (religious talk, sermon), and after it, a verbal supplication is made facing the *Qiblah*.

[1] There is a sequential and numerical difference in the pronouncing of *Takbīr* between an *'Eid* prayer and an *Istisqa'* prayer. As for the *Khutba,* it should follow the main course of prayer in *Istisqa'* as it does in the *'Eid* prayer.

[2] The words "did not deliver your kind of *Khutba*" allude to the fact that it was not a tiresome and lengthy *Khutba* like yours. Shah Waliullah, in his book *Hujjatullāhil-Bāligha,* writes that there are many ways of *Istisqa'* which are ascribed to the Prophet ﷺ. The best method which the people may adopt according to *Sunnah* is that all the people must form a gathering in a forest with the *Imām.* Then, they should put on ragged clothes and supplicate to Allāh the Almighty, tearfully with a heavy heart. Then, the *Imām* should lead the prayer consisting of two *Rak'at*, with audible recitation. After the prayer, the *Imām* should deliver the *Khutba*, making supplications to Allāh, while his face should be in the direction of the *Qiblah,* and then he should turn his cloak inside out.

ثُمَّ أَقْبَلَ عَلَى النَّاسِ، وَنَزَلَ، وَصَلَّى رَكْعَتَيْنِ، فَأَنْشَأَ اللَّهُ تَعَالَى سَحَابَةً، فَرَعَدَتْ، وَبَرَقَتْ، ثُمَّ أَمْطَرَتْ. رَوَاهُ أَبُو دَاوُدَ، وَقَالَ: غَرِيبٌ، وَإِسْنَادُهُ جَيِّدٌ.

send down rain upon us and make what You send down strength and satisfaction for a time." He ﷺ then raised his hands[1] and kept rising them till the whiteness of his armpits was visible. He then turned his back to the people and inverted his cloak while keeping his hands raised. He ﷺ then faced the people, descended and prayed two *Rak'at*. Then, Allāh produced a cloud and storms of thunder and lightning came and the rain fell. [Reported by Abū Dā'ud who graded it *Gharib* (transmitted through a single narrator), but its chain is *Jayyid* (good)].

وَقِصَّةُ التَّحْوِيلِ فِي الصَّحِيحِ مِنْ حَدِيثِ عَبْدِاللهِ بْنِ زَيْدٍ، وَفِيهِ: فَتَوَجَّهَ إِلَى القِبْلَةِ يَدْعُو، ثُمَّ صَلَّى رَكْعَتَيْنِ، جَهَرَ فِيهِمَا بِالقِرَاءَةِ.

The story of how the Prophet ﷺ inverted his cloak is mentioned in *Sahih Al-Bukhāri* from the narration of 'Abdullāh bin Zaid. And it contains (the words): "He ﷺ faced the *Qiblah* making supplication. Then, he prayed two *Rak'at,* reciting (the Qur'ān) in them audibly."

وَلِلدَّارَقُطْنِيِّ مِنْ مُرْسَلِ أَبِي جَعْفَرٍ البَاقِرِ: وَحَوَّلَ رِدَاءَهُ لِيَتَحَوَّلَ القَحْطُ.

Ad-Dāraqutni reported from the *Mursal Hadīth* of Abū Ja'far Al-Bāqir[2] : "He ﷺ turned his cloak round, so that the drought may turn [from dry land to rained land].

(٤٠٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَجُلاً دَخَلَ المَسْجِدَ يَوْمَ الجُمُعَةِ، وَالنَّبِيُّ ﷺ قَائِمٌ يَخْطُبُ، فَقَالَ: يَا رَسُولَ اللهِ! هَلَكَتِ الأَمْوَالُ، وَانْقَطَعَتِ السُّبُلُ، فَادْعُ اللَّهَ عَزَّوَجَلَّ يُغِيثُنَا، فَرَفَعَ يَدَيْهِ، ثُمَّ قَالَ: «اللَّهُمَّ أَغِثْنَا،

408. Narrated Anas ﷺ: The Prophet ﷺ was delivering the *Khutba* (religious talk, sermon) while standing on a Friday when a man came into the mosque and said, "O Messenger of Allāh! the livestock have died and the roads are cut off, so supplicate Allāh to

[1] In this way it is known to us that in *Istisqa'* prayer, supplications should be made with raised hands. Imām An-Nawawi has collected twenty *Ahadīth* to this effect. Anas رضي الله عنه narrates that he never saw the Prophet ﷺ ever raising his hands in any of his supplications other than the one made for *Istisqa'*. This points to the fact that he never saw the Prophet ﷺ raising his hands so high in any prayer other than *Istisqa'*.

[2] He is Muhammad Al-Baqir bin 'Ali Zainul-'Abidin bin Husain bin 'Ali bin Abū Tālib, the 5th *Imām* of the 12 *Imāms* claimed by the *Ithna 'Ashariya Shī'a*. He was called Bāqir for his wide knowledge. He was born in 56 H. and died in 117 at 63 years and was buried at Al-Baqi'.

send us down rain." Allāh's Messenger ﷺ raised his hands and then said, "O Allāh! send us down rain, O Allāh! send us down rain, O Allāh! send us down rain." And the reporter mentioned the complete *Hadīth,* which contains supplication to stop the rain. [Agreed upon].

اللَّهُمَّ أَغِثْنَا، اللَّهُمَّ أَغِثْنَا»، فَذَكَرَ الحَدِيثَ، وَفِيهِ الدُّعَاءُ بِإِمْسَاكِهَا. مُتَّفَقٌ عَلَيْهِ.

409. Narrated (Anas) ﷺ: When they experienced drought 'Umar bin Al-Khattab ﷺ used to seek rain by asking[1] Al-'Abbās bin 'Abdul Muttalib[2] ﷺ to supplicate Allah for rain. He ('Umar) would say: 'O Allāh, we used to ask our Prophet ﷺ to supplicate to You for rain, and You would give us rain. We are now asking our Prophet's uncle to supplicate to You for rain, so give us rain." They would then be given rain. [Reported by Al-Bukhāri].

(٤٠٩) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ كَانَ إِذَا قُحِطُوا اسْتَسْقَى بِالْعَبَّاسِ بْنِ عَبْدِ المُطَّلِبِ، وَقَالَ: اللَّهُمَّ إِنَّا كُنَّا نَسْتَسْقِي إِلَيْكَ بِنَبِيِّنَا فَتَسْقِينَا، وَإِنَّا نَتَوَسَّلُ إِلَيْكَ بِعَمِّ نَبِيِّنَا فاسْقِنَا، فَيُسْقَوْنَ. رَوَاهُ البُخَارِيُّ.

410. Narrated (Anas) ﷺ: Rain fell upon us while we were with Allāh's Messenger ﷺ. He opened his garment till some of the rain fell upon him. He then said, "It has only recently been created by its *Rabb*[3] ." [Reported by Muslim].

(٤١٠) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَصَابَنَا - وَنَحْنُ مَعَ رَسُولِ اللهِ ﷺ - مَطَرٌ، قَالَ: فَحَسَرَ ثَوْبَهُ حَتَّى أَصَابَهُ مِنَ المَطَرِ، وَقَالَ: إِنَّهُ حَدِيثُ عَهْدٍ بِرَبِّهِ. رَوَاهُ مُسْلِمٌ.

---

[1] This *Hadīth* teaches us that we should ask the living pious people supplicate for *Istisqa'* and not the dead ones. Many people believe that according to this *Hadīth*, supplicaitons may be made through the dead, making them a medium, which is an erroneous view. Had it been proper and permissible to use the dead as intermediaries, 'Umar رضي الله عنه would not have requested 'Abbās رضي الله عنه to conduct supplications instead of the Prophet ﷺ.

[2] He is the uncle of the Prophet ﷺ and was nicknamed Abul-Fadl. He was responsible for supplying water to the pilgrims at Makkah and the construction of the Ka'ba. He attended *Al-'Aqaba* agreement to make sure that the *Ansār* were sincere in their promises even though he had not yet become a Muslim. He was captured in the battle of Badr with the polytheists. He became a Muslim just before the conquest of Makkah and took part in it. He stood firm during the battle of Hunain. He died during Rajab or Ramadān in 32 H. and was buried at Al-Baqi'.

[3] It means that the rain is directly descending from the heavens. It has not yet touched any vice, and has not yet come down to any place wherein people commit sinful acts. The idea is to teach us to seek Allāh's blessing by utilising the blessed and good things provided to us by Allāh the All-Mighty and then offer our thanks to Him alone.

411. Narrated 'Aisha ﵂: When the Prophet ﷺ saw rain he said, "O Allāh, (send down) a beneficial downpour." [Agreed upon].

(٤١١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا رَأَى المَطَرَ قَالَ: «اللَّهُمَّ صَيِّباً نَافِعاً». أَخْرَجَاهُ.

412. Narrated Sa'd ﵁: The Prophet ﷺ supplicated (Allāh) for rain saying[1], "O Allāh, cover all the land with accumulated, thundering, plunging and lightening clouds from which You would send us down a showery, drizzly, and pouring rain. O Possessor of Glory and Honour." [Reported by Abū 'Awana in his *Sahih*].

(٤١٢) وَعَنْ سَعْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ دَعَا فِي الاسْتِسْقَاءِ: «اللَّهُمَّ جَلِّلْنَا سَحَاباً كَثِيفاً، قَصِيفاً، دَلُوقاً، ضَحُوكاً، تُمْطِرُنَا مِنْهُ رُذَاذاً، قِطْقِطاً، سَجْلاً، يَا ذَا الجَلَالِ وَالإِكْرَامِ». رَوَاهُ أَبُو عَوَانَةَ فِي صَحِيحِهِ.

413. Narrated Abū Huraira ﵁: Allāh's Messenger ﷺ said, Sulaiman (Solomon) went out to pray for rain, and he saw an ant lying on its back, raising its legs to the sky saying,[2] "O Allāh, we are creatures among your creatures, we cannot live without your water." He said (to his companions), "Go back, for you have been given water through the supplication of others." [Reported by Ahmad and Al-Hākim graded it *Sahih* (authentic)].

(٤١٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: خَرَجَ سُلَيْمَانُ عَلَيْهِ السَّلَامُ يَسْتَسْقِي، فَرَأَى نَمْلَةً مُسْتَلْقِيَةً عَلَى ظَهْرِهَا، رَافِعَةً قَوَائِمَهَا إِلَى السَّمَاءِ، تَقُولُ: اللَّهُمَّ إِنَّا خَلْقٌ مِنْ خَلْقِكَ، لَيْسَ بِنَا غِنًى عَنْ سُقْيَاكَ، فَقَالَ: «ارْجِعُوا فَقَدْ سُقِيتُمْ بِدَعْوَةِ غَيْرِكُمْ». رَوَاهُ أَحْمَدُ وَصَحَّحَهُ الحَاكِمُ.

414. Narrated Anas ﵁: The Prophet ﷺ prayed for rain pointing the back of his palms[3] to the sky. [Reported by Muslim].

(٤١٤) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ اسْتَسْقَى فَأَشَارَ بِظَهْرِ كَفَّيْهِ إِلَى السَّمَاءِ. أَخْرَجَهُ مُسْلِمٌ.

---

[1] Many supplications concerning *Istisqa'* are reported from the Prophet ﷺ and this is one of them.

[2] The practice of carrying animals to the *Istisqa'* prayer is proven through this *Hadīth* as Allāh may perhaps accept their supplications.

[3] The religious scholars state that if a supplication is to be made to invoke Allāh's blessing, one should raise his hands in the usual way (palms facing the praying person). If the same is done to ward off an evil, the situation of hands should be reversed (i.e., raised hands, with palms facing out). It is meant as a sign, that may Allāh effect a change in the situation. The same applies to turning the cloak inside out. Likewise, the gesture of keeping one's palms facing outwards denotes and highlights the good omen – that may Allāh put the clouds lower (being filled with water).

Chapter 17
THE MANNERS OF CLOTHING

١٧ - بَابُ اللِّبَاسِ

415. Narrated Abū 'Aamir Al-Ash'ari[1] ﷺ: Allāh's Messenger ﷺ said: "There will be among my followers some people who will consider adultery (*al-Hir*) and the use of silk (*Al-Harir*) lawful."[2] [Reported by Abū Dā'ud, and its basic meaning is in *Al-Bukhāri*].

(٤١٥) عَنْ أَبِي عَامِرٍ الأَشْعَرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَيَكُونَنَّ مِنْ أُمَّتِي أَقْوَامٌ يَسْتَحِلُّونَ ٱلْخِزَ وَٱلحَرِيرَ». رَوَاهُ أَبُو دَاوُدَ، وَأَصْلُه فِي البُخَارِيِّ.

416. Narrated Hudhaifa ﷺ: Allāh's Messenger ﷺ forbade us from eating and drinking from gold and silver vessels, and from wearing or siting upon silk or brocade. [Reported by Al-Bukhāri].

(٤١٦) وَعَنْ حُذَيْفَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ أَنْ نَشْرَبَ فِي آنِيَةِ الذَّهَبِ وَالفِضَّةِ، وَأَنْ نَأْكُلَ فِيهَا، وَعَنْ لُبْسِ الحَرِيرِ وَالدِّيبَاجِ، وَأَنْ نَجْلِسَ عَلَيْهِ. رَوَاهُ البُخَارِيُّ.

417. Narrated 'Umar ﷺ: Allāh's Messenger ﷺ forbade the wearing of silk except the space of two or three or four fingers.[3] [Agreed upon, and the wording is from Muslim].

(٤١٧) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ لُبْسِ الحَرِيرِ، إِلَّا مَوْضِعَ أُصْبُعَيْنِ أَوْ ثَلَاثٍ أَوْ أَرْبَعٍ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

418. Narrated Anas ﷺ: The Prophet ﷺ gave permission to 'Abdur-Rahman bin 'Auf and Az-Zubair[4] to wear silk during the journey because of an itching which they suffered from. [Agreed upon].

(٤١٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ رَخَّصَ لِعَبْدِ الرَّحْمٰنِ بْنِ عَوْفٍ وَالزُّبَيْرِ فِي قَمِيصِ الحَرِيرِ، فِي سَفَرٍ، مِنْ حِكَّةٍ كَانَتْ بِهِمَا. مُتَّفَقٌ عَلَيْهِ.

[1] He is called 'Abdullāh bin Hāni' or 'Ubaid bin Wahab. He was a *Sahābi* who settled at Shām and died during the rule of 'Abdul Malik bin Marwān.

[2] It means that they shall be wearing silken cloth and committing fornication to such an excess as if these things are not forbidden at all.

[3] The wearing of silk clothing is forbidden for men. However, it is permissible for a man to wear, at the most, a garment that comprises a silken stripe not measuring more than five to ten centimeters. Likewise, it is permissible for a man to wear silk clothing if he either suffers from itching of the skin (i.e., eczema, etc.) or he gets infested with lice. Since the silk clothing benefits the ones suffering from these conditions, they are allowed to keep using them as a supportive measure until they get cured.

[4] Az-Zubair bin Al-'Awwām bin Khuwailid bin Asad Al-Qurashi Al-Asadi was the disciple of Allāh's Messenger ﷺ, the son of Safiya, his paternal aunt and one of the ten who were promised to enter Paradise. He was also one of the Muslim heroes in the battles. He was killed in 36 H. after returning from the battle of Al-Jamal.

419. Narrated 'Ali bin Abi Talib ﷺ: The Prophet ﷺ presented me a silk suit of clothing.[1] I went out wearing it, but on noticing anger on his face, I cut it up (and divided it) among the women of my household. [Agreed upon, and this is the wording of Muslim].

(٤١٩) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَسَانِي النَّبِيُّ ﷺ حُلَّةً سِيَرَاءَ، فَخَرَجْتُ فِيهَا، فَرَأَيْتُ الغَضَبَ فِي وَجْهِهِ، فَشَقَقْتُهَا بَيْنَ نِسَائِي. مُتَّفَقٌ عَلَيْهِ، وَهٰذَا لَفْظُ مُسْلِمٍ.

420. Narrated Abū Mūsa ﷺ: Allāh's Messenger ﷺ said, "Gold and silk are lawful for the females among my followers, but prohibited to the males". Reported by Ahmad, An-Nasā'i and At-Tirmidhi, who graded it *Sahih* (authentic)].

(٤٢٠) وَعَنْ أَبِي مُوسَى رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «أُحِلَّ الذَّهَبُ وَالحَرِيرُ لِإِنَاثِ أُمَّتِي. وَحُرِّمَ عَلَى ذُكُورِهِمْ». رَوَاهُ أَحْمَدُ وَالنَّسَائِيُّ وَالتِّرْمِذِيُّ وَصَحَّحَهُ.

421. Narrated 'Imrān bin Husain ﷺ: The Prophet ﷺ said, "When Allāh grants His blessings to His servant, He loves to see the traces of His favour upon him."[2] [Reported by Al-Baihaqi].

(٤٢١) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما، أَنَّ النَّبِيَّ ﷺ قَالَ: «إِنَّ اللَّهَ يُحِبُّ إِذَا أَنْعَمَ عَلَى عَبْدِهِ نِعْمَةً، أَنْ يَرَى أَثَرَ نِعْمَتِهِ عَلَيْهِ». رَوَاهُ البَيْهَقِيُّ.

422. Narrated 'Ali ﷺ: Allāh's Messenger ﷺ forbade wearing of silk and clothes dyed with safflower (a red dye). [Reported by Muslim]

(٤٢٢) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنْ لُبْسِ القَسِّيِّ وَالمُعَصْفَرِ. رَوَاهُ مُسْلِمٌ.

423. Narrated 'Abdullah bin 'Amr ﷺ: The Prophet ﷺ saw me in two clothes dyed in safflower (a red dye), whereupon he said: "Did your mother order you to do this?[3] " [Reported by Muslim].

(٤٢٣) وَعَنْ عَبْدِ اللهِ بْنِ عَمْرٍو رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: رَأَى عَلَيَّ النَّبِيُّ ﷺ ثَوْبَيْنِ مُعَصْفَرَيْنِ، فَقَالَ: «أُمُّكَ أَمَرَتْكَ بِهٰذَا؟». رَوَاهُ مُسْلِمٌ.

424. Narrated Asmā' bint Abū Bakr ﷺ: She brought out the mantle (over-

(٤٢٤) وَعَنْ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّهَا أَخْرَجَتْ جُبَّةَ رَسُولِ اللهِ

[1] This garment was presented to the Prophet ﷺ by the King of Aila region. It contained embroidery of golden and silken threads.

[2] This clarifies that wearing good clothes and eating nice foods is not against piety. According to a *Hadīth*, Allāh loves beauty and cleanliness. Mālik bin Murara once asked the Prophet ﷺ whether nice food, decent dress, good housing and a good mode of transport are a sign of pride and vanity? He answered in the negative, saying that pride is in considering others inferior to oneself, and is in not accepting the truth.

[3] The whole *Hadīth* goes that 'Abdullāh bin 'Umar رضي الله عنهما asked the Prophet's permission to wash that garment. His answer was in the negative instructing him to burn it instead, which was ostensibly a punitive measure.

garment) of Allāh's Messenger ﷺ – with it's collar, sleeves, front and back hemmed with brocade (silk)[1] . [Abū Dā'ud reported it]. Its basic meaning is in Muslim's *Sahih* with the addition: "It was with 'Aisha ﷺ till she died, then I took possession of it. The Prophet ﷺ used to wear it, and we wash it for the sick, seeking cure by means of it." Al-Bukhāri added in *Adab Al-Mufrad*[2] : "He (the Prophet ﷺ) used to wear it on the visit of a delegation[3] and on Fridays."

ﷺ، مَكْفُوفَةَ الجَيْبِ والكُمَّيْنِ وَالفَرْجَيْنِ بِالدِّيبَاجِ. رَوَاهُ أَبُو دَاوُدَ، وَأَصْلُه فِي مُسْلِمٍ، وَزَادَ: كَانَتْ عِنْدَ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا حَتَّى قُبِضَتْ، فَقَبَضْتُهَا، وَكَانَ النَّبِيُّ ﷺ يَلْبَسُهَا، فَنَحْنُ نَغْسِلُهَا لِلْمَرْضَى، نَسْتَشْفِي بِهَا. وَزَادَ البُخَارِيُّ فِي الأَدَبِ المُفْرَدِ: وَكَانَ يَلْبَسُها لِلْوَفْدِ وَالجُمُعَةِ.

[1] *Dibāj* is basically an Arabised word. *Dība* is the original word which can be translated as "a thick silken cloth."

[2] This is the name of a book written by Imām Bukhāri .

[3] This clarifies that the wearing of nice clothing is permissible on the occasion of Friday, on the *'Eid,* or to have an audience with an honourable person.

3. THE BOOK OF FUNERALS

٣ - كِتَابُ الجَنَائِزِ

425. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said: "Remember a lot the cutter (remover) of delights i.e., death.[1] [Reported by At-Tirmidhi and An-Nasā'i; Ibn Hibbān graded it *Sahih* (authentic)].

(٤٢٥) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَكْثِرُوا ذِكْرَ هَاذِمِ اللَّذَّاتِ: المَوْتِ». رَوَاهُ التِّرْمِذِيُّ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

426. Narrated Anas ﷺ: Allāh's Messenger ﷺ said: None of you should wish for death[2] due to being afflicted by harm. But, if he must wish (for death) he should say: "O Allāh, give me life as long as it is good for me, and give me death if death is better for me.[3] " [Agreed upon].

(٤٢٦) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَتَمَنَّيَنَّ أَحَدُكُمُ المَوْتَ لِضُرٍّ نَزَلَ بِهِ، فَإِنْ كَانَ لا بُدَّ مُتَمَنِّياً، فَلْيَقُلْ: اللَّهُمَّ أَحْيِنِي مَا كَانَتِ الحَيَاةُ خَيْراً لِي، وَتَوَفَّنِي مَا كَانَتِ الوَفَاةُ خَيْراً لِي». مُتَّفَقٌ عَلَيْهِ.

427. Narrated Buraida ﷺ: The Prophet ﷺ said, "A believer dies with sweat[4] on the brow." [Reported by *Ath-Thalatha*]. And Ibn Hibbān graded it *Sahih* (authentic).

(٤٢٧) وَعَنْ بُرَيْدَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «المُؤْمِنُ يَمُوتُ بِعَرَقِ الجَبِينِ». رَوَاهُ الثَّلَاثَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

428. Narrated Abū Sa'īd and Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Prompt those of you who are dying to repeat after you, "Nothing deserves to be worshipped except Allāh." [Reported by Muslim and *Al-Arba'a*].

(٤٢٨) وَعَنْ أَبِي سَعِيدٍ وَأَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَا: قَالَ رَسُولُ اللهِ ﷺ: «لَقِّنُوا مَوْتَاكُمْ لَا إِلَهَ إِلَّا اللَّهُ». رَوَاهُ مُسْلِمٌ وَالأَرْبَعَةُ.

---

[1] The mention of death often provokes a feeling of abstinence, self-introspection concerning one's own deeds, and the dreadfulness of the Judgement Day. This, in turn, motivates one to perform good deeds, and molds one's psyche in such a condition so as to be prepared for the Day of Judgement.

[2] It is forbidden to be desirous of death out of mundane afflictions, poverty and diseases, etc. To wish to meet Allāh the All-Mighty, is indeed an indication of the perfection of one's Faith. It is also permissible for one to wish for death out of fear that one might be led astray from the Right Path.

[3] Life is a blessing to the believer. A *Hadīth* states that a believer, if pious, shall accrue more piety to his credit. Life is also a blessing to the sinner, as he may shun his sins and bad deeds out of repentance, at any point during the course of his life.

[4] It has been construed in many ways. The correct version is that one's forehead perspires as the agony of death becomes too difficult; and a believer's agony is made a bit severe as an atonement of whatever sins he has committed in this world and their being forgiven here itself. This too is a favor of Allāh to the believer.

429. Narrated Ma'qil bin Yasār[1] ﷺ: The Prophet ﷺ said, "Recite *Sūrat Yāsin* over your dead.[2] " [Abū Dā'ud and An-Nasā'i reported it and Ibn-Hibbān graded it *Sahih* (authentic)].

(٤٢٩) وَعَنْ مَعْقِلِ بْنِ يَسَارٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «اقْرَءُوا عَلَى مَوْتَاكُمْ يس». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

430. Narrated Umm Salama[3] ﷺ: Allāh's Messenger ﷺ came in to Abū Salama (when he died). His eyes were fixedly open. Closing them he said, "When the soul is taken, the sight[4] follows it." Some of his family wept and wailed, so he (ﷺ) said, "Do not supplicate for yourselves anything but good, for the angels say *Amin* to what you say." He then said, "O Allāh, forgive Abū Salama, raise his degree among those who are rightly guided, make his grave spacious for him, grant him light in it, and grant him a successor in his descendants who remain." [Reported by Muslim].

(٤٣٠) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: دَخَلَ رَسُولُ اللهِ ﷺ عَلَى أَبِي سَلَمَةَ، وَقَد شَقَّ بَصَرُهُ، فَأَغْمَضَهُ، ثُمَّ قَالَ: «إِنَّ الرُّوحَ إِذَا قُبِضَ أَتْبَعَهُ البَصَرُ»، فَضَجَّ نَاسٌ مِنْ أَهْلِهِ، فَقَالَ: «لَا تَدْعُوا عَلَى أَنْفُسِكُمْ إِلَّا بِخَيْرٍ، فَإِنَّ المَلَائِكَةَ تُؤَمِّنُ عَلَى مَا تَقُولُونَ»، ثُمَّ قَالَ: «اللَّهُمَّ اغْفِرْ لِأَبِي سَلَمَةَ، وَارْفَعْ دَرَجَتَهُ فِي المَهْدِيِّينَ، وَافْسَحْ لَهُ فِي قَبْرِهِ، وَنَوِّرْ لَهُ فِيهِ، وَاخْلُفْهُ فِي عَقِبِهِ». رَوَاهُ مُسْلِمٌ.

431. Narrated 'Aisha ﷺ that when the Prophet ﷺ died, he was covered with a striped (Yemeni) garment. [Agreed upon].

(٤٣١) وَعَن عائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ حِينَ تُوُفِّيَ، سُجِّيَ بِبُرْدٍ حِبَرَةٍ. مُتَّفَقٌ عَلَيْهِ.

[1] Ma'quil is a *Sahābi* of Muzaina tribe. He became a Muslim before Hudaibiya expedition and participated in *Bai'atur-Ridwān*. A river he had dug at Basra by the orders of 'Umar was named after him. And since then a proverb goes: "If Allāh's river comes flowing, the river of Ma'quil becomes useless." It is said that he died at Basra towards the end of Mu'awiya's rule in 60 H. or during the rule of Yazid.

[2] This mitigates the perdition and one's soul is released out of his body with smoothness and ease. As this *Sūrah* contains a mentioning of Allāh's blessing on his slaves, the same gives strength and predominance to his element of hope and thus his soul effortlessly passes away. [Al-Albāni declared it da'eef (weak) in *Irwaa'* 3/150, no. 688]

[3] He is 'Abdullāh bin 'Abdul-Asad Al-Makhzumi Al-Qurashi, the son of the paternal aunt of Allāh's Messenger ﷺ and his brother, together with Hamza, in suckling. They were all suckled by Thuwaiba the manumitted slave-woman of Abu Lahab. Abu Salama had migrated to Abyssinia (Ethiopia) with his wife Umm Salama. He attended the battle of Badr and was wounded in the battle of Uhud. His wound healed, then recurred and he finally died on 3rd Jumad-al-Ula 4 H., leaving behind Umm Salama who was married after him by the Prophet ﷺ in Shawwāl 4 H.

[4] This informs us that the eyes of a dying person become opened wide as they observe the beloved departing soul. The eyes of the deceased should be closed immediately because they do not close after the body loses its warmth, and instinctively strike terror and instill fear in one's mind.

432. Narrated ('Aisha) ﷺ that Abū Bakr ﷺ kissed[1] the Prophet ﷺ when he was dead. [Reported by Al-Bukhari].

(٤٣٢) وَعَنْهَا أَنَّ أَبَا بَكْرٍ الصِّدِّيقَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَبَّلَ النَّبِيَّ ﷺ بَعْدَ مَوْتِهِ. رَوَاهُ الْبُخَارِيُّ.

433. Narrated Abū Huraira ﷺ: The Prophet ﷺ said, "A believer's soul is attached to his debt[2] till it is paid[3] on his behalf." [Reported by Ahmad and At-Tirmidhi who graded it *Hasan* (good)].

(٤٣٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «نَفْسُ الْمُؤْمِنِ مُعَلَّقَةٌ بِدَيْنِهِ، حَتَّى يُقْضَى عَنْهُ». رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ.

434. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ said concerning the man who fell down from his camel and died, "Wash him with water and lotus leaves[4], and shroud him[5] in his two garments." [Agreed upon].

(٤٣٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ فِي الَّذِي سَقَطَ عَنْ رَاحِلَتِهِ، فَمَاتَ: اغْسِلُوهُ بِمَاءٍ وَسِدْرٍ، وَكَفِّنُوهُ فِي ثَوْبَيْنِ. مُتَّفَقٌ عَلَيْهِ.

435. Narrated 'Aisha ﷺ: When the people intended to wash the Prophet ﷺ they said; "By Allāh, we do not know whether we should take off the clothes of Allāh's Messenger ﷺ as we take off the clothes of our dead...[6]" [Reported by Ahmad and Abū Dā'ud].

(٤٣٥) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: لَمَّا أَرَادُوا غُسْلَ النَّبِيِّ ﷺ، قَالُوا: وَاللهِ مَا نَدْرِي نُجَرِّدُ رَسُولَ اللهِ ﷺ كَمَا نُجَرِّدُ مَوْتَانَا أَمْ لَا؟ اَلْحَدِيثَ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ.

436. Narrated Umm 'Atiya ﷺ: The Prophet ﷺ came in when we were washing his daughter and said, "Wash her with

(٤٣٦) وَعَنْ أُمِّ عَطِيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: دَخَلَ عَلَيْنَا النَّبِيُّ ﷺ وَنَحْنُ نُغَسِّلُ

[1] This explains that it is permissible to kiss a dead body provided the same belongs to a Muslim.

[2] According to this *Hadīth*, a person shall remain under his indebtedness even after his death, as long his loans are not paid off.

[3] This is on the condition that the deceased person, despite possessing wealth and being solvent enough to pay off his debts, died without paying it. If someone dies an accidental death and has little time to pay it off, or a person who does not have the solvency but harbors a good intention of paying it off, is however exempted from it. One of the items related to *Zakāt* expenditure is that the debts of the indebted people be paid off.

[4] The blending of *Sidr* leaves (*Nabiq* tree) washes the dirt and filth away just like soap.

[5] This person was standing in *'Arafah* with the Prophet ﷺ. He fell down from the mount and passed away as he was kicked by the she-camel. The Prophet ﷺ asked the people around neither to cover his head nor to apply scent on his body as Allāh will raise him on the Day of Resurrection in the state of pronouncing *Talbiya*.

[6] The *Hadīth* goes that when the Prophet ﷺ expired, the people were undecided about whether or not to undress him (to perform the ritual bathing of the dead body). Suddenly the people were overwhelmed by a feeling of drowsiness and an unknown voice from one of the corners of the house was heard saying that his body should not be undressed, and hence the instruction was duly compiled with and the ritual bathing was done accordingly.

water and lotus leaves three or five times,[1] or more than that if you see fit; and put camphor, or *some* camphor in the last washing." When we had finished we informed him, and he threw us his lower garment saying, "Put it next to (i.e. directly upon) her body." [Agreed upon]. And in another narration: "Begin with her right side and the places of the ablution." And in a narration of Al-Bukhāri: "We braided her hair in three plaits and placed them behind her back."

ابْنَتِه، فَقَالَ: «اغْسِلْنَهَا ثَلَاثاً أَوْ خَمْساً أَوْ أَكْثَرَ مِنْ ذٰلِكَ، إِنْ رَأَيْتُنَّ ذٰلِكَ، بِمَاءٍ وَسِدْرٍ، وَاجْعَلْنَ فِي الأَخِيرَةِ كَافُوراً، أَوْ شَيْئاً مِنْ كَافُورٍ»، فَلَمَّا فَرَغْنَا آذَنَّاهُ، فَأَلْقَى إِلَيْنَا حَقْوَهُ، فَقَالَ: أَشْعِرْنَهَا إِيَّاهُ. مُتَّفَقٌ عَلَيْهِ. وَفِي رِوَايَةٍ: «ابْدَأْنَ بِمَيَامِنِهَا، وَمَوَاضِعِ الْوُضُوءِ مِنْهَا». وَفِي لَفْظٍ لِلْبُخَارِيِّ: فَضَفَّرْنَا شَعْرَهَا ثَلَاثَةَ قُرُونٍ، فَأَلْقَيْنَاهَا خَلْفَهَا.

437. Narrated 'Aisha ﵂: Allāh's Messenger ﷺ was shrouded in three pieces of white, cotton, *Sahūliyah*[2] cloth among which was neither a shirt nor a turban. [Agreed upon].

(٤٣٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كُفِّنَ رَسُولُ اللهِ ﷺ فِي ثَلَاثَةِ أَثْوَابٍ بِيضٍ سَحُولِيَّةٍ مِنْ كُرْسُفٍ، لَيْسَ فِيهَا قَمِيصٌ وَلَا عِمَامَةٌ. مُتَّفَقٌ عَلَيْهِ.

438. Narrated Ibn 'Umar ﵄: When 'Abdullāh bin 'Ubai[3] died, his son[4] came to Allah's Messenger ﷺ and said, "Give me your shirt to shroud him in it," so he (ﷺ) gave it to him. [Agreed upon].

(٤٣٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: لَمَّا تُوُفِّيَ عَبْدُ اللهِ بْنُ أُبَيٍّ جَاءَ ابْنُهُ إِلَى رَسُولِ اللهِ ﷺ فَقَالَ: أَعْطِنِي قَمِيصَكَ أُكَفِّنْهُ فِيهِ، فَأَعْطَاهُ إِيَّاهُ. مُتَّفَقٌ عَلَيْهِ.

439. Narrated Ibn 'Abbās ﵄: The Prophet ﷺ said: "Wear your white garments, for they are among your best garments, and shroud your dead in

(٤٣٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «الْبَسُوا مِنْ ثِيَابِكُمُ الْبِيضَ فَإِنَّهَا مِنْ خَيْرِ ثِيَابِكُمْ، وَكَفِّنُوا فِيهَا

[1] It clarifies that *Ghusl* (ritual bathing of the dead body) should be done at least three times invariably. If required more than that, it could be done five times or even seven times, but the consensus among the scholars is that one washing suffices.

[2] *Sahūl* is the name of a village in Yemen and this fabric is from there.

[3] He was the chief of Al-Khazraj tribe during the *Jahiliya* (ignorance) period and head of the hypocrites after the Prophet ﷺ migrated to Al-Madīnah. He retreated with 300 men from the battle of Badr and was responsible for the major part of the falsehood against 'Aisha ﵂ He is also the one who said, "If we return to Al-Madīnah the honorable man (meaning himself) will evict the disgraceful one (meaning the Prophet ﷺ)." He also said, "Do not feed those with Allāh's Messenger ﷺ till they disperse." He died in Dhul Qa'da 9 H. His mother was called Salul.

[4] He is 'Abdullāh bin 'Abdullāh bin Ubai bin Salul. He was one of the virtuous and benevolent *Sahāba*, and was martyred in the battle of Al-Yamama. He was the toughest man against his father to the extent that he asked to be permitted to chop his head off when he said that 'the honorable man will evict the disgraceful one.' His name was Hubāb during the *Jahiliya* days, but the Prophet ﷺ renamed him 'Abdullāh.

them." [Reported by *Al-Khamsa* except An-Nasā'i. At-Tirmidhi graded it *Sahih* (authentic)].

مَوْتَاكُمْ». رَوَاهُ الخَمْسَةُ إِلَّا النَّسَائِيَّ، وَصَحَّحَهُ التِّرْمِذِيُّ.

440. Narrated Jābir ﷺ: Allāh's Messenger ﷺ said, "When one of you shrouds his brother, he should use a good shroud."[1] [Reported by Muslim].

(٤٤٠) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا كَفَّنَ أَحَدُكُمْ أَخَاهُ فَلْيُحْسِنْ كَفَنَهُ». رَوَاهُ مُسْلِمٌ.

441. Narrated (Jābir) ﷺ: The Prophet ﷺ had each pair of those killed at Uhud, wrapped in a single garment.[2] He then asked, "Which of them knew more of the Qur'ān?" Then he would have him put first in the niche inside of the grave. They were neither washed nor prayed upon. [Reported by Al-Bukhāri].

(٤٤١) وَعَنْهُ رَضِيَ اللَّهُ عَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ يَجْمَعُ بَيْنَ الرَّجُلَيْنِ مِنْ قَتْلَى أُحُدٍ فِي ثَوْبٍ وَاحِدٍ، ثُمَّ يَقُولُ: «أَيُّهُمْ أَكْثَرُ أَخْذاً لِلْقُرْآنِ»؟ فَيُقَدِّمُهُ فِي اللَّحْدِ، وَلَمْ يُغَسَّلُوا، وَلَمْ يُصَلِّ عَلَيْهِمْ. رَوَاهُ البُخَارِيُّ.

442. Narrated 'Ali ﷺ: I heard the Prophet ﷺ say, "Do not be extravagant in shrouding, for it will quickly decay." [Reported by Abū Dā'ud].

(٤٤٢) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: «لَا تَغَالَوْا فِي الكَفَنِ، فَإِنَّهُ يُسْلَبُ سَرِيعاً». رَوَاهُ أَبُو دَاوُدَ.

443. Narrated 'Aisha ﷺ: The Prophet ﷺ told her, "I would have washed you,[3] if you died before me." [Reported by Ahmad and Ibn Mājah. Ibn Hibbān graded it *Sahih* (authentic)].

(٤٤٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ قَالَ لَهَا: «لَوْ مُتِّ قَبْلِي لَغَسَّلْتُكِ»، اَلْحَدِيثَ. رَوَاهُ أَحْمَدُ وَابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

444. Narrated Asma bint 'Umais ﷺ: Fatima[4] ﷺ willed that 'Ali[5] ﷺ should

(٤٤٤) وَعَنْ أَسْمَاءَ بِنْتِ عُمَيْسٍ رَضِيَ اللَّهُ

[1] It only means that the shroud should be neat and clean and not an expensive one as there is a prohibition regarding the same in *Hadīth*.

[2] This was only due to a constraint, as there were not enough clothes to go round at that time. The proper procedure is that the Funeral prayer of the martyrs should not be performed.

[3] It implies an evidence that a man can give *Ghusl* (bath) to the dead body of his wife and hence the majority follow this rule. Some people oppose it, but the demeanor of the Companions of the Prophet ﷺ disqualifies this persuasion of theirs. 'Ali رضي الله عنه performed *Ghusl* for Fatima Az-Zahra ﷺ and likewise 'Asma bint 'Umais ﷺ performed *Ghusl* for Abū Bakr رضي الله عنه. These occurrences prove that a husband can give *Ghusl* to his wife and a woman can do the same to her husband and it is agreed upon by consensus that the Companions of the Prophet ﷺ maintained silence on both of the above cited occasions.

[4] Fatima ﷺ was the youngest among the daughters of the Prophet ﷺ and she is the most important lady of this *Ummah*. 'Ali bin Abu Tālib رضي الله عنه married her in Ramadān 2 H. and wedded her in Dhul Hijja. She was then 15 years 5 months old. She died in Ramadān 11 H. 6 months after the death of her father.

[5] 'Ali رضي الله عنه carried out her will.

wash her (dead body). [Reported by Ad-Dāraqutni].

تَعَالَى عَنْهَا، أَنَّ فَاطِمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَوْصَتْ أَنْ يُغَسِّلَهَا عَلِيٌّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ. رَوَاهُ الدَّارَقُطْنِيُّ.

445. Narrated Buraida ﵁ concerning the woman of (the tribe of) *Ghamid* that the Prophet ﷺ commanded to be stoned because of fornication. He said: "He (ﷺ) then gave command regarding (stoning) her, then prayed over her [or she was prayed over][1] and buried." [Reported by Muslim].

(٤٤٥) وَعَنْ بُرَيْدَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي قِصَّةِ الغَامِدِيَّةِ الَّتِي أَمَرَ النَّبِيُّ ﷺ بِرَجْمِهَا فِي الزِّنَا - قَالَ: ثُمَّ أَمَرَ بِهَا، فَصُلِّي عَلَيْهَا وَدُفِنَتْ. رَوَاهُ مُسْلِمٌ.

446. Narrated Jabir bin Samura ﵁: The dead body of a man who had killed himself with a broad headed arrow was brought before the Prophet ﷺ, but he did not offer prayer[2] on him. [Reported by Muslim].

(٤٤٦) وَعَنْ جَابِرِ بْنِ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أُتِيَ النَّبِيُّ ﷺ بِرَجُلٍ قَتَلَ نَفْسَهُ بِمَشَاقِصَ، فَلَمْ يُصَلِّ عَلَيْهِ. رَوَاهُ مُسْلِمٌ.

447. Narrated Abū Huraira ﵁: Regarding the story of a woman who used to sweep the mosque. The Prophet ﷺ asked about her and they (the Companions) told him she had died. He (ﷺ) then said, "Why did you not inform me?" and it appeared as if they had considered her as of little importance. He (ﷺ) said, "Show me her grave", and when they did so, he prayed[3] on her. [Agreed upon].

(٤٤٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي قِصَّةِ المَرْأَةِ الَّتِي كَانَتْ تَقُمُّ المَسْجِدَ - قَالَ: فَسَأَلَ عَنْهَا النَّبِيُّ ﷺ، فَقَالُوا: مَاتَتْ، فَقَالَ: «أَفَلَا كُنْتُمْ آذَنْتُمُونِي؟» - فَكَأَنَّهُمْ صَغَّرُوا أَمْرَهَا - فَقَالَ: «دُلُّونِي عَلَى قَبْرِهَا»، فَدَلُّوهُ، فَصَلَّى عَلَيْهَا. مُتَّفَقٌ عَلَيْهِ.

---

[1] In some narrations, the word *Fasulliya* فصلي is used which is *Majhūl* مجهول (unknown) and imply that the Prophet ﷺ himself did not perform the Funeral prayer, but that it was offered by his Companions. The truth of the matter is that the Prophet ﷺ himself offered her Funeral prayer.

[2] There is a difference of opinion among scholars about the Funeral prayer of the one who has died as a result of committing suicide. The majority among them agree that such a person's Funeral prayer must be offered. Qadi 'Ayādh has transmitted from a certain source that all the scholars agree on Funeral prayers of such persons who have been either punished or stoned to death (on a *Shari'a* ruling), the ones having committed suicide, and illegitimate children (born out of wedlock). The Prophet ﷺ would not attend some of the Funeral prayers but used to instruct people to attend them.

[3] This proves that offering a Funeral prayer at someone's grave is also permissible. It further proves that no time limit is specified in regard to a Funeral prayer. The Prophet ﷺ offered the Funeral prayer of the Uhud martyrs after eight years of their passing away. It also proves that a Funeral prayer may also be offered as many as two or three times.

And Muslim added: He (ﷺ) then said, "These graves are full of darkness for their occupants, but Allāh will illuminate them (the graves) for them (the occupants) because of my prayer on them."

وَزَادَ مُسْلِمٌ: ثُمَّ قَالَ: «إِنَّ هَذِهِ الْقُبُورَ مَمْلُوءَةٌ ظُلْمَةً عَلَى أَهْلِهَا، وَإِنَّ اللَّهَ يُنَوِّرُهَا لَهُمْ بِصَلَاتِي عَلَيْهِمْ».

448. Narrated Hudhaifa رضي الله عنه: The Prophet ﷺ used to forbid the announcing[1] of death. [Reported by Ahmad, and At-Tirmidhi who graded it *Hasan* (good)].

(٤٤٨) وَعَنْ حُذَيْفَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ يَنْهَى عَنِ النَّعْيِ. رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ.

449. Narrated Abū Huraira رضي الله عنه: The Prophet ﷺ announced the death of An-Najāshi (Negus)[2] on the day he died, took them out to the *Musalla* (the place of prayer) and drew them up in rows and uttered the *Takbīr* four times.[3] [Agreed upon].

(٤٤٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَعَى النَّجَاشِيَّ فِي الْيَوْمِ الَّذِي مَاتَ فِيهِ، وَخَرَجَ بِهِمْ إِلَى الْمُصَلَّى، فَصَفَّ بِهِمْ، وَكَبَّرَ عَلَيْهِ أَرْبَعاً. مُتَّفَقٌ عَلَيْهِ.

450. Narrated Ibn 'Abbās رضي الله عنه: I have heard the Prophet ﷺ say: If any Muslim dies and forty men who associate nothing with Allāh offer prayer on him, Allāh will accept them as intercessors[4] for him. [Reported by Muslim].

(٤٥٠) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: «مَا مِنْ رَجُلٍ مُسْلِمٍ يَمُوتُ، فَيَقُومُ عَلَى جَنَازَتِهِ أَرْبَعُونَ رَجُلاً، لَا يُشْرِكُونَ بِاللهِ شَيْئاً، إِلَّا شَفَّعَهُمُ اللَّهُ فِيهِ». رَوَاهُ مُسْلِمٌ.

451. Narrated Samura bin Jundub رضي الله عنه: I prayed behind the Prophet ﷺ and he prayed on a woman who had died in child birth and he stood opposite the

(٤٥١) وَعَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: صَلَّيْتُ وَرَاءَ النَّبِيِّ ﷺ عَلَى امْرَأَةٍ مَاتَتْ فِي نِفَاسِهَا، فَقَامَ وَسْطَهَا. مُتَّفَقٌ

---

[1] The meaning of نعي *Na'y* is 'to convey the news of someone's death'. It was a custom in the days of *Jahiliya* (pre-Islamic period) that whenever a person of eminence and repute died, the news about his death was announced all over the city. This practice is forbidden. However, one can inform his relatives and pious people to participate in the funeral.

[2] An-Najāshi (Negus) was the title of the Abyssinian (Ethiopian) ruler whose real name was Ashama bin Al-Abjar. The Muslims migrated to him fleeing with their Faith from the suppression of the infidels at Makkah. The Prophet ﷺ sent him a letter calling him to Islam with 'Amr bin Umaiya Ad-Damari towards the end of 6 H. or in Muharram 7 H. He received the letter, put it against his eyes, descended from his throne and became a Muslim at the hands of Ja'far bin Abu Tālib who wrote to the Prophet ﷺ to that effect. An-Najāshi died in Rajab 9 H. after the expedition of Tabuk and the Prophet ﷺ offered *Salātul-Janāza* on him in absentia. The Prophet ﷺ then wrote to his successor calling him to Islam.

[3] This informs us that offering someone's Funeral prayer in the absence of his dead body is permissible.

[4] This explains that the intercession of a Muslim for another Muslim (by way of invocating for his salvation) is acceptable to Allāh.

middle part[1] of her body. [Agreed upon].

عَلَيْهِ.

452. Narrated 'Aisha ﷺ: I swear by Allāh, that Allāh's Messenger ﷺ prayed on (the dead bodies of) the two sons of Baidā[2] in the mosque.[3] [Reported by Muslim].

(٤٥٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: وَاللهِ لَقَدْ صَلَّى رَسُولُ اللهِ ﷺ عَلَى ابْنَيْ بَيْضَاءَ فِي الْمَسْجِدِ. رَوَاهُ مُسْلِمٌ.

453. Narrated 'Abdur-Rahman bin Abū Laila[4] : Zaid bin Arqam used to utter the *Takbīr* four times on their dead, but once he uttered it five times,[5] on a dead body, and I asked him about it. He said, "Allāh's Messenger ﷺ used to utter those *Takbīrāt*." [Reported by Muslim and *Al-Arba'a*].

(٤٥٣) وَعَنْ عَبْدِ الرَّحْمٰنِ بْنِ أَبِي لَيْلَى رَضِيَ اللَّهُ عَنْهُ قَالَ: كَانَ زَيْدُ بْنُ أَرْقَمَ يُكَبِّرُ عَلَى جَنَائِزِنَا أَرْبَعاً، وَأَنَّهُ كَبَّرَ عَلَى جَنَازَةٍ خَمْساً، فَسَأَلْتُهُ، فَقَالَ: كَانَ رَسُولُ اللهِ ﷺ يُكَبِّرُهَا. رَوَاهُ مُسْلِمٌ وَالأَرْبَعَةُ.

454. Narrated 'Ali ﷺ that he uttered *Takbīr* six times on Sahl bin Hunaif[6] and said, "He was one of the

(٤٥٤) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ كَبَّرَ عَلَى سَهْلِ بْنِ حُنَيْفٍ سِتّاً، وَقَالَ: إِنَّهُ

[1] If the dead body belongs to a male, the *Imām* should stand by his head, and if it belongs to a female, the *Imām* should stand besides the middle part of her body.

[2] Baidā' is the nickname of the mother called Da'ad bint Al-Juhdum Al-Fihriya, and her two sons are Sahl and Suhail whom she bore to Wahab bin Rabi'a Al-Qurashi Al-Fihri. Sahl was the one who vetoed the *Sahifa* (see glossary) written by Quraish to boycott Banu Hashim and the Muslims. It was said that he became a Muslim openly in Makkah. It was also reported that he concealed his Islamic faith and was forced to join the Quraish army to fight at Badr. He was then captured by the Muslims and 'Abdullah bin Mas'ūd witnessed for him that he had seen him praying at Makkah. So he was released and died at Al-Madīnah. But Suhail had become a Muslim very early, participated in the *Hijratain* (two migrations) and attended Badr and all the important battles. He died at Al-Madīnah in 9 H. after the expedition of Tabuk. A third son of Al-Baidā' is called Safwān who was martyred at Badr, it was also said that he died long after the death of the Prophet ﷺ.

[3] Some people deem it improper to conduct Funeral prayer in a mosque, but there is no evidence confirming their viewpoint. It is reported through Ibn Abī Shaiba that the Funeral prayer of Abū Bakr رضي الله عنه was led by 'Umar رضي الله عنه in the mosque. It has been reported in *Musnad Sa'īd bin Mansūr* that the Funeral prayer of 'Umar رضي الله عنه was led by Suhaib رضي الله عنه in the mosque and that the Funeral prayer of Sa'd bin Abī Waqqās was offered in the mosque.

[4] He is an Ansāri and a Madani and a Kufi. He was one of the reliable elder *Tābi'īn* in terms of *Hadīth* reporting. He is nicknamed Abu 'Īsa and reported *Ahadīth* from a group of the *Sahāba*. He was born at the beginning of the last six years of 'Umar's caliphate. He died in 86 H. at the battle of Al-Jamajim, and it was said that he drowned in Basra river.

[5] The Prophet ﷺ is reported to have pronounced four, five, six, seven and as many as eight *Takbīr*. 'Umar رضي الله عنه unified people on four by a common consensus and the same is acted upon to this day.

[6] Sahal bin Hunaif is an Ansāri, an Ausi (from the tribe of Aus) and a Madani. He attended Badr and all the following battles. He stood firm with the Prophet ﷺ in the battle of Uhud.

companions who attended the battle of Badr." [Reported by Sa'īd bin Mansur. Its basic meaning is in *Al-Bukhāri*].

بَدْرِيٌّ. رَوَاهُ سَعِيدُ بْنُ مَنْصُورٍ. وَأَصْلُهُ فِي الْبُخَارِيِّ.

455. Narrated Jābir ؓ: Allāh's Messenger ﷺ used to utter four *Takbīr* on our dead, and recite the opening of the Book (*Sūrat Al-Fātiha*)[1] after the first *Takbīr*. [Reported by Ash-Shāfi'i through a weak chain of narrators].

(٤٥٥) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُكَبِّرُ عَلَى جَنَائِزِنَا أَرْبَعاً، وَيَقْرَأُ بِفَاتِحَةِ الْكِتَابِ فِي التَّكْبِيرَةِ الأُولَى. رَوَاهُ الشَّافِعِيُّ بِإِسْنَادٍ ضَعِيفٍ.

456. Narrated Talha bin 'Abdullāh bin 'Auf[2] (ؓ): I prayed behind Ibn 'Abbās (ؓ) on a *Janāza* (dead person) and he recited *Fātibat-ul Kitāb*. He then said, "(I did that) so that you may know it is a *Sunnah*."[3] [Reported by Al-Bukhāri].

(٤٥٦) وَعَنْ طَلْحَةَ بْنِ عَبْدِاللهِ بْنِ عَوْفٍ، قَالَ: صَلَّيْتُ خَلْفَ ابْنِ عَبَّاسٍ عَلَى جَنَازَةٍ، فَقَرَأَ فَاتِحَةَ الْكِتَابِ، فَقَالَ لِتَعْلَمُوا أَنَّهَا سُنَّةٌ. رَوَاهُ الْبُخَارِيُّ.

457. Narrated 'Auf bin Mālik[4] ؓ: Allāh's Messenger ﷺ prayed on a dead body and I memorized from his supplication,[5] "O Allāh, forgive him, show him mercy, grant him well-being, pardon him, grant him a noble provision and a spacious lodging, wash him with water, snow, and ice and hail, purify him from sins as the white garment is purified from filth, give him

(٤٥٧) وَعَنْ عَوْفِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّى رَسُولُ اللهِ ﷺ عَلَى جَنَازَةٍ، فَحَفِظْتُ مِنْ دُعَائِهِ «اللَّهُمَّ اغْفِرْ لَهُ، وَارْحَمْهُ، وَعَافِهِ، وَاعْفُ عَنْهُ، وَأَكْرِمْ نُزُلَهُ، وَوَسِّعْ مَدْخَلَهُ، وَاغْسِلْهُ بِالْمَاءِ، وَالثَّلْجِ، وَالْبَرَدِ. وَنَقِّهِ مِنَ الْخَطَايَا، كَمَا يُنَقَّى الثَّوْبُ الأَبْيَضُ مِنَ الدَّنَسِ، وَأَبْدِلْهُ دَاراً خَيْراً مِنْ

Later, 'Ali appointed him to govern Basra, and he participated with him in the battle of Siffin. There was a brotherhood bond between 'Ali and him after the *Hijra*. He died in 38 H.

[1] This *Hadīth* stands as an evidence that the recitation of *Sūrat Al-Fātiha* during a Funeral prayer is a legislated *Sunnah* – or compulsory according to some of the scholars – since it is confirmed in the authentic *Hadith* which follows.

[2] Talha was a Zuhri, a Qurashi and a Madani and son of 'Abdur-Rahmān bin 'Auf's brother. He is nicknamed Talha An-Nada and was reliable, learned and memorized many *Ahadīth*. He was among the middle *Tābi'in* and died in 97 H. at the age of 72 years.

[3] In a Funeral prayer, *Sūrat Al-Fātiha* should be recited with a subdued voice. The reason why Ibn Abbās رضي الله عنهما recited the same with a loud voice was explained by himself as he said, "I recited it aloud so that it becomes known to you all that the observance of the same is *Sunnah*."

[4] 'Auf was a *Sahābi* from the clan of Ashja' and he first took part in the battle of Khaibar. He carried the flag of Ashja' during the conquest of Makkah. He settled in Shām and died there in 73 H.

[5] The possibility exists that the Prophet ﷺ might have uttered this invocation aloud, from which he could have memorized it. Likewise, there is the possibility that 'Auf رضي الله عنه might himself have enquired of the Prophet ﷺ regarding the same.

a better abode in place of his present one, a better family/spouse in place of his present one, admit him to Paradise and save him from the trial in the grave and the punishment of Hell-Fire."[1] [Reported by Muslim].

دَارِهِ، وَأَهْلاً خَيْراً مِنْ أَهْلِهِ، وَأَدْخِلْهُ الجَنَّةَ، وقِهِ فِتْنَةَ القَبْرِ، وَعَذَابَ النَّارِ». رَوَاهُ مُسْلِمٌ.

458. Narrated Abū Huraira ﷛: When Allāh's Messenger ﷺ prayed over a dead body, he (ﷺ) said, "O Allāh, forgive those of us who are living and those of us who are dead, those of us who are present and those of us who are absent, our young and our old, our male and our female. O Allāh, to whomsoever of us You give life, keep him faithful to Islam, and whomsoever of us You take in death take him as a believer. O Allāh, do not withhold from us the reward of our deeds (because) of him, nor try us [or cause us to go astray] after his death.[2] " [Reported by Muslim and *Al-Arba'a*].

(٤٥٨) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا صَلَّى عَلَى جَنَازَةٍ، يَقُولُ: «اللَّهُمَّ اغْفِرْ لِحَيِّنَا، وَمَيِّتِنَا، وَشَاهِدِنَا، وَغَائِبِنَا، وَصَغِيرِنَا، وَكَبِيرِنَا، وَذَكَرِنَا، وَأُنْثَانَا، اللَّهُمَّ مَنْ أَحْيَيْتَهُ مِنَّا فَأَحْيِهِ عَلَى الإِسْلَامِ، وَمَنْ تَوَفَّيْتَهُ مِنَّا فَتَوَفَّهُ عَلَى الإِيمَانِ، اللَّهُمَّ لَا تَحْرِمْنَا أَجْرَهُ، وَلَا تَفْتِنَّا بَعْدَهُ». رَوَاهُ مُسْلِمٌ وَالأَرْبَعَةُ.

459. Narrated (Abū Huraira) ﷛: The Prophet ﷺ said, "When you pray over the dead, make a sincere supplication for him."[3] [Abū Dā'ud reported it. And Ibn Hibbān graded it *Sahih* (authentic)].

(٤٥٩) وَعَنْهُ رَضِيَ اللَّهُ عَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ: «إِذَا صَلَّيْتُمْ عَلَى المَيِّتِ فَأَخْلِصُوا لَهُ الدُّعَاءَ». رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

460. Narrated Abū Huraira ﷛: The Prophet ﷺ said, "Hasten when carrying a *Janāza*, for if the dead person was righteous, then it is good that you will sending him on to. And if he was otherwise, then it is an evil of which you are ridding yourselves."[4] [Agreed upon].

(٤٦٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، قَالَ: «أَسْرِعُوا بِالجَنَازَةِ، فَإِنْ تَكُ صَالِحَةً، فَخَيْرٌ تُقَدِّمُونَهَا إِلَيْهِ، وَإِنْ تَكُ سِوَى ذَلِكَ، فَشَرٌّ تَضَعُونَهُ عَنْ رِقَابِكُمْ». مُتَّفَقٌ عَلَيْهِ.

[1] Different supplications relating to the Funeral prayer have been ascribed to the Prophet ﷺ. One is free to recite any of them he likes. In case the dead body belongs to a non-adult, he should say: "*Allāhumma ij'alhu lana salafan wa ajran.*" (O Allāh! Make him/her a forerunner for us and a source of reward (in the Hereafter)).

[2] Many supplications of the Funeral prayer are from the Prophet ﷺ, this one is also one of them and being a short one, is more well-known.

[3] This makes it clear too that even if the dead body belongs to a sinner, one should be earnest in supplicating to Allāh in the matter of his forgiveness. Some people maintain that such a person should be cursed. This view point is absolutely erroneous and detestable.

[4] We are thus informed that we must not delay in burying the dead. Some people nowadays delay the burial proceedings which is against Islamic law.

461. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said, "He who attends a funeral till the prayer is offered for (the dead), for him is the reward of one *Qīrāt*, and he who attends (and stays) till it is buried, for him is the reward of two *Qīrāt*." It was asked, "What are the two *Qīrāt*?" He said, "Like two huge mountains." [Agreed upon]. Muslim has: "till it (the dead) is placed in the niche inside the grave."

(٤٦١) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ شَهِدَ الجَنَازَةَ حَتَّى يُصَلَّى عَلَيْهَا فَلَهُ قِيرَاطٌ، وَمَنْ شَهِدَهَا حَتَّى تُدْفَنَ فَلَهُ قِيرَاطَانِ»، قِيلَ: وَمَا القِيرَاطَانِ؟ قَالَ: «مِثْلُ الجَبَلَيْنِ العَظِيمَيْنِ». مُتَّفَقٌ عَلَيْهِ، وَلِمُسْلِمٍ: «حَتَّى تُوضَعَ فِي اللَّحْدِ».

Al-Bukhāri has: "If anyone attends the funeral of a Muslim, out of faith and seeking reward from Allāh, and stays till prayer is offered and the burial is complete, he will return with a reward of two *Qīrāt,* each *Qīrāt* being similar to the Mountain of Uhud."

وَلِلْبُخَارِيِّ أيضًا من حَدِيثِ أَبِي هُرَيْرَةَ: «مَنْ تَبِعَ جَنَازَةَ مُسْلِمٍ إيماناً وَاحْتِسَاباً، وَكَانَ مَعَهَا حَتَّى يُصَلَّى عَلَيْهَا وَيُفْرَغَ مِنْ دَفْنِهَا، فَإِنَّهُ يَرْجِعُ بِقِيرَاطَيْنِ، كُلُّ قِيرَاطٍ مِثْلُ جَبَلِ أُحُدٍ».

462. Narrated Sālim[1] on the authority of his father: He saw the Prophet ﷺ, Abū Bakr and 'Umar walking in front of the funeral (procession).[2] [Reported by *Al-Khamsa*; Ibn Hibbān graded it *Sahih* (authentic) and An-Nasā'i and others termed it as *Mursal* (missing link after the *Tābi'i*)].

(٤٦٢) وَعَنْ سَالِمٍ عَنْ أَبِيهِ، أَنَّهُ رَأَى النَّبِيَّ ﷺ وَأَبَا بَكْرٍ وَعُمَرَ، يَمْشُونَ أَمَامَ الجَنَازَةِ. رَوَاهُ الخَمْسَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَأَعَلَّهُ النَّسَائِيُّ وَطَائِفَةٌ بِالإِرْسَالِ.

463. Narrated Umm 'Atiya ﷺ: We (women) were forbidden to accompany the funerals, but it (i.e. the prohibition) was not stressed[3] upon us. (Agreed upon].

(٤٦٣) وَعَنْ أُمِّ عَطِيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: نُهِينَا عَنِ اتِّبَاعِ الجَنَائِزِ، وَلَمْ يُعْزَمْ عَلَيْنَا. مُتَّفَقٌ عَلَيْهِ.

---

[1] He is Abū 'Abdullāh or Abū 'Umar Sālim bin 'Abdullah bin 'Umar bin Al-Khattab, one of the leading *Tābi'in* and among their eminent *'Ulamā'*. He was one of the seven *Fiqh* scholars, and was a reliable *Hadīth* reporter, knowledgeable and virtuous. He resembled his father in his religious applications and knowledge. He died in Dhul Qa'da 106 H.

[2] During a funeral procession, whether one should be ahead of the dead body or behind it, and whether one should be on the right or the left side of it, is in general an optional matter. What is better, is again a disputed point as there exists a difference of opinion among the scholars. Bin Mansūr, on the authority of Hasan bin 'Ali رضي الله عنهما has narrated that the reward which one gains out of walking behind the dead body (in a funeral procession) is greater than the one walking ahead of it, the difference may be compared to the reward of individual prayer in comparison to the congregational prayer.

[3] There is a difference of opinions among the scholars concerning whether or not it is permissible for women to accompany a funeral procession or to go to the graveyard to visit graves. The applicable ruling is that in case there is a possibility of their wailing, lamenting and bemoaning the dead, it should be disallowed. In case such a possibility does not exist, they may be allowed to go.

464. Narrated Abū Sa'īd ؓ: Allāh's Messenger ﷺ said, "When you see a funeral, stand up and whoever follows it should not sit[1] down until it is put down." [Agreed upon].

(٤٦٤) وَعَنْ أَبِي سَعِيدٍ رَضِيَ اللَّهُ عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِذَا رَأَيْتُمُ الجَنَازَةَ فَقُومُوا، فَمَنْ تَبِعَهَا فَلَا يَجْلِسْ حَتَّى تُوضَعَ». مُتَّفَقٌ عَلَيْهِ.

465. Narrated Abū Ishāq[2] : 'Abdullāh bin Yazid[3] ؓ put the dead body in the grave from the side where his legs will be placed in it. He said, "This is a *Sunnah*." [Reported by Abū Dā'ud].

(٤٦٥) وَعَنْ أَبِي إِسْحَاقَ، أَنَّ عَبْدَ اللهِ بْنَ يَزِيدَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَدْخَلَ المَيِّتَ مِنْ قِبَلِ رِجْلَي القَبْرِ، وَقَالَ: هٰذَا مِنَ السُّنَّةِ. أَخْرَجَهُ أَبُو دَاوُدَ.

466. Narrated Ibn 'Umar ؓ: The Prophet ﷺ said, "When you place your dead in the grave say, 'In the Name of Allāh, and following the religion of Allāh's Messenger.[4] '" [Reported by Ahmad, Abū Dā'ud and An-Nasā'i; Ibn Hibbān graded it *Sahih* (authentic) and Ad-Dāraqutni termed it as *Mawqūf* (saying of a Companion)].

(٤٦٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ، قَالَ: «إِذَا وَضَعْتُمْ مَوْتَاكُمْ فِي القُبُورِ فَقُولُوا: بِسْمِ اللهِ، وَعَلَى مِلَّةِ رَسُولِ اللهِ». أَخْرَجَهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَأَعَلَّهُ الدَّارَقُطْنِيُّ بِالوَقْفِ.

467. Narrated 'Aisha ؓ: Allāh's Messenger ﷺ said, "Breaking a dead person's bone is like breaking it when he is alive." [Reported by Abū Dā'ud through a chain of narrators conforming with the conditions laid down by Muslim]. Ibn Mājah had the addition – from the *Hadith* of Umm Salama (ؓ): "as regards the sin."

(٤٦٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «كَسْرُ عَظْمِ المَيِّتِ كَكَسْرِهِ حَيًّا». رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ عَلَى شَرْطِ مُسْلِمٍ، وَزَادَ ابْنُ مَاجَهْ مِنْ حَدِيثِ أُمِّ سَلَمَةَ: «فِي الإِثْمِ».

---

[1] The word 'sit' might also imply that all the people must make their respective efforts in burying the dead. It should not follow that only the relatives of the dead carry out everything whereas the rest of the people sit idly being silent spectators.

[2] 'Amr bin 'Abdullāh As-Sabi'i Al-Hamdāni Al-Kufi was a prominent *Tābi'ī*, narrated many *Ahadīth*, but was a *Mudallis* who became senile towards his last years. He was born two years before the end of 'Uthmān's caliphate and died in 129 H.

[3] 'Abdullah bin Yazid was a Khutami, an Ansāri and an Ausi. He attended Al-Hudaibiya at the age of 17 years and was with 'Ali at Al-Jamal and Siffin battles. He settled at Kūfa, became its governor during the time of Ibn Az-Zubair and died in it during his time.

[4] Imām Baihaqi reported with a weak evidence (in terms of chain of narrators) that while Umm Kulthūm ؓ, the daughter of the Prophet ﷺ was being put in the grave, the Prophet ﷺ recited the following supplication:

﴿منها خلقناكم وفيها نعيدكم ومنها نخرجكم تارة أخرى﴾ (طه: ٥٥) بسم الله وفي سبيل الله وعلى ملة رسول.

468. Narrated Sa'd bin Abi Waqqās ﷺ: He said, "Make a niche for me in the side of the grave, and set up unbaked bricks over me (my grave) as it was done with Allāh's Messenger ﷺ."[1] [Reported by Muslim].

(٤٦٨) وَعَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: الْحَدُوا لِي لَحْداً وَانْصِبُوا عَلَيَّ اللَّبِنَ نَصْباً، كَمَا صُنِعَ بِرَسُولِ اللهِ ﷺ. رَوَاهُ مُسْلِمٌ.

Al-Baihaqi reported something similar to the above on the authority of Jābir and added: "And his grave was raised about one span[2] from the ground." [Ibn Hibbān graded it *Sahih* (authentic)].

وَلِلْبَيْهَقِيِّ عَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ نَحْوُهُ، وَزَادَ: وَرُفِعَ قَبْرُهُ عَنِ الأَرْضِ قَدْرَ شِبْرٍ. وَصَحَّحَهُ ابْنُ حِبَّانَ.

Narrated (Jābir) ﷺ: Allāh's Messenger ﷺ forbade graves to be plastered with gypsum, to be sat upon, or any structure to be built over them.[3] [Reported by Muslim].

وَلِمُسْلِمٍ عَنْهُ: نَهَى رَسُولُ اللهِ ﷺ، أَنْ يُجَصَّصَ الْقَبْرُ، وَأَنْ يُقْعَدَ عَلَيْهِ، وَأَنْ يُبْنَى عَلَيْهِ.

469. Narrated 'Aamir bin Rabi'a ﷺ: The Prophet ﷺ prayed on the body of 'Uthmān bin Maz'ūn,[4] then went to

(٤٦٩) وَعَنْ عَامِرِ بْنِ رَبِيعَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ صَلَّى عَلَى عُثْمَانَ بْنِ

"There of (the earth) We created you, and into it We shall return you, and from it We shall bring you out once again. (V. 20:55). In the Name of Allāh, in the cause of Allāh and following the religion of the Messenger of Allāh (is hereby this dead body being buried)."

There are also many other supplications mentioned in *Ahadīth*, which one may recite according to his liking.

[1] This *Hadīth* carries an evidence that the grave prepared for the Prophet ﷺ was a "*Lahd*". The Companions of the Prophet ﷺ differed in their opinions whether his grave should be a *Lahd* or a *Shiq*. There were two undertakers (grave-diggers) in Al-Madīnah those days, one specializing in digging *Lahd* and the other one specializing in digging *Shiq*. It was agreed among the Companions of the Prophet ﷺ that whosoever (among the grave-diggers) comes first, should start his work. Hence the one specializing in digging *Lahd* came first and prepared the grave accordingly.

[2] It is against *Sharī'a* (Islamic law) to raise the stature of a grave more than a *Shibr* (the span of a hand). The grave of the Prophet ﷺ was of the same stature. At first, it was in a flat shape but once the walls of Prophet's room had fallen down (out of disrepair or decay), Walīd bin 'Abdul-Malik had the walls repaired and had the grave re-built in the shape of a camel-hump. The graves of Abu Bakr and 'Umar Farooq رضي الله عنهما are also hump-shaped.

[3] At-Tirmidhi also includes the words that the graves should not bear any inscription, no construction be made on them and they should not be trampled upon. This *Hadīth* has been declared *Sahih* (sound) by Tirmidhi. An-Nasā'i reports that no soil should be thrown over it except the one that has been excavated out of it.

[4] 'Uthmān was a Jumahi and a Qurashi. He was one of the virtuous and ascetic *Sahāba* and had prohibited alcohol to himself during the *Jahiliya* days. He was the 14th man to become a Muslim, made the two migrations and fought at Badr. He was the first person to die in Al-

his grave and threw three handfuls of earth over it while standing. [Reported by Ad-Dāraqutni].

مَظْعُونٍ، وَأَتَى القَبْرَ، فَحَثَى عَلَيْهِ ثَلَاثَ حَثَيَاتٍ، وَهُوَ قَائِمٌ. رَوَاهُ الدَّارَقُطْنِيُّ.

470. Narrated 'Uthmān (bin 'Affān) ﷺ: When Allāh's Messenger ﷺ finished burying the dead, he stood by the grave and said, "Ask forgiveness for your brother, and ask that he be made firm[1] for he is now being questioned." [Abū Dā'ud reported it and Al-Hākim graded it *Sahih* (authentic)].

(٤٧٠) وَعَنْ عُثْمَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا فَرَغَ مِنْ دَفْنِ المَيِّتِ وَقَفَ عَلَيْهِ، وَقَالَ: اسْتَغْفِرُوا لِأَخِيكُمْ، وَاسْأَلُوا لَهُ التَّثْبِيتَ، فَإِنَّهُ الآنَ يُسْأَلُ. رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ الحَاكِمُ.

471. Narrated Damra bin Habib[2] – one of the *Tābi'in*: They (the Companions) used to consider it commendable to say after the grave is leveled and the people had left; "O so-and-so say: *Lā ilāha ill-Allah* (Nothing deserves to be worshipped except Allāh) three times, O so-and-so say: My ***Rabb*** is Allāh, my religion is Islam and my Prophet is Muhammad ﷺ." [Reported by Sa'īd bin Mansūr as a *Mawqūf* (saying of a Companion). At-Tabarāni reported the same by Abū Umāma as *Marfu'* (attributed to the Prophet)].

(٤٧١) وَعَنْ ضَمْرَةَ بْنِ حَبِيبٍ - أَحَدِ التَّابِعِينَ - قَالَ: كَانُوا يَسْتَحِبُّونَ إِذَا سُوِّيَ عَلَى المَيِّتِ قَبْرُهُ وَانْصَرَفَ النَّاسُ عَنْهُ، أَنْ يُقَالَ عِنْدَ قَبْرِهِ: يَا فُلَانُ! قُلْ لَا إِلَهَ إِلَّا اللَّهُ، ثَلَاثَ مَرَّاتٍ، يَا فُلَانُ! قُلْ: رَبِّيَ اللَّهُ، وَدِينِي الإِسْلَامُ، وَنَبِيِّي مُحَمَّدٌ ﷺ. رَوَاه سَعِيدُ بْنُ مَنْصُورٍ مَوْقُوفاً، وَلِلطَّبَرَانِيِّ نَحْوُهُ مِنْ حَدِيثِ أَبِي أُمَامَةَ مَرْفُوعاً مُطَوَّلاً.

472. Narrated Buraida bin Husaib Al-Aslami ﷺ: Allāh's Messenger ﷺ said, "I had forbidden you to visit the graves, but you may now visit them.[3]" [Reported by Muslim]. At-Tirmidhi added to the above: "For it reminds one about the Hereafter." Ibn Mājah

(٤٧٢) وَعَنْ بُرَيْدَةَ بْنِ الحُصَيْبِ الأَسْلَمِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «كُنْتُ نَهَيْتُكُمْ عَنْ زِيَارَةِ القُبُورِ، فَزُورُوهَا». رَوَاهُ مُسْلِمٌ. زَادَ التِّرْمِذِيُّ: «فَإِنَّهَا تُذَكِّرُ الآخِرَةَ». زَادَ ابْنُ مَاجَهْ مِنْ حَدِيثِ ابْنِ

Madīnah among the *Muhajirin*. His death occurred in Sha'ban, in the second year after the *Hijra* and he was buried at Al-Baqi'. The Prophet ﷺ kissed his face after his death and said after he was buried, "He is a righteous predecessor for us."

[1] It thus becomes known to us that after the burial, making an invocation for the forgiveness of a dead man's sins and to pray for his steadfastness while facing the questioning in the grave is *Mustahab* (desirable) and *Masnūn* (from the practice of the Prophet).

[2] Abu 'Utba Damra bin Habib bin Suhaib Az-Zubaidi Al-Himsi is a reliable *Tābi'i* of the fourth grade.

[3] The visiting of graves falls within the category of that which is desirable and not that which is compulsory. However, visiting the graves of one's parents is certainly stressed upon. One should visit their graves and make supplications to Allāh for them.

added, from the *Hadith* of Ibn Mas'ūd: "and it makes one overlook the worldly pleasures."

مَسْعُودٍ: «وَتُزَهِّدُ فِي الدُّنْيَا».

473. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ cursed[1] the women who visit the graves. [At-Tirmidhi reported it and Ibn Hibbān graded it *Sahih* (authentic)].

(٤٧٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ لَعَنَ زَائِرَاتِ الْقُبُورِ. أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

474. Narrated Abū Sa'īd Al-Khudri ﷺ: Allah's Messenger ﷺ cursed the wailing woman and the woman who listens to her. [Reported by Abū Dā'ud].

(٤٧٤) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَعَنَ رَسُولُ اللهِ ﷺ النَّائِحَةَ وَالْمُسْتَمِعَةَ. أَخْرَجَهُ أَبُو دَاوُدَ.

475. Narrated Umm 'Atiya ﷺ: Allāh's Messenger ﷺ took a promise from us that we would not wail (if bereaved).[2] [Agreed upon].

(٤٧٥) وَعَنْ أُمِّ عَطِيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: أَخَذَ عَلَيْنَا رَسُولُ اللهِ ﷺ أَنْ لَا نَنُوحَ. مُتَّفَقٌ عَلَيْهِ.

476. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ said: "The dead is punished in the grave[3] because of wailing on it." [Agreed upon]. Al-Bukhari and Muslim reported a similar *Hadīth* from Al-Mughira bin Shu'ba.

(٤٧٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «الْمَيِّتُ يُعَذَّبُ فِي قَبْرِهِ بِمَا نِيحَ عَلَيْهِ». مُتَّفَقٌ عَلَيْهِ، وَلَهُمَا نَحْوُهُ عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ.

477. Narrated Anas ﷺ: I witnessed the burial of a daughter of the Prophet ﷺ and Allāh's Messenger ﷺ was sitting beside the grave and I saw his eyes shedding tears.[4] [Reported by Al-Bukhāri].

(٤٧٧) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: شَهِدْتُ بِنْتاً لِلنَّبِيِّ ﷺ تُدْفَنُ، وَرَسُولُ اللهِ ﷺ جَالِسٌ عِنْدَ الْقَبْرِ، فَرَأَيْتُ عَيْنَيْهِ تَدْمَعَانِ. رَوَاهُ الْبُخَارِيُّ.

---

[1] There is a difference of opinion among the scholars whether or not women should go to visit graves. It is better that the women do not go there.

[2] This *Hadīth* tells us that the wailing, bemoaning and lamenting over the dead is forbidden. An emotional outburst of tears due to the feeling of sorrow is not prohibited as it only alludes to the tenderness of one's heart, which means that the prohibition does not apply to the actions of one's eyes. It only involves the actions of one's hands and tongue.

[3] A dead man incurring torment due to the people's mourning apparently contravenes the Qur'ānic Verse لا تزر وازرة وزر أخرى (No one laden with burdens can bear another's burden). It alludes to certain situation whereby the mourning is observed in the houses of some rich people as a matter of pride and pomp. Some people leave their will to the effect that their death be mourned over, whereas some of them merely express their willingness to be mourned over. In these situations, the dead shall have to bear the torment. In case the dead person forbids his funeral to be mourned (in his lifetime), he will not be subjected to torment. Therefore, a man should disallow and forbid others from conducting such mourning after his death.

[4] This tells us that the weeping and shedding of one's tears out of sorrow is not forbidden.

478. Narrated Jabir ﷺ: The Prophet ﷺ said: "Do not bury your dead at night[1] unless you are forced to." [Ibn Mājah reported it]. Its basic meaning is in Muslim, but he said: "He (ﷺ) prohibited that a man be buried at night until prayer is offered on him."

(٤٧٨) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَا تَدْفِنُوا مَوْتَاكُمْ بِاللَّيْلِ إِلَّا أَنْ تُضْطَرُّوا». أَخْرَجَهُ ابْنُ مَاجَهْ، وَأَصْلُهُ فِي مُسْلِمٍ، لَكِنْ قَالَ: زَجَرَ أَنْ يُقْبَرَ الرَّجُلُ بِاللَّيْلِ حَتَّى يُصَلَّى عَلَيْهِ.

479. Narrated 'Abdullāh bin Ja'far[2] ﷺ: When the news of Ja'far's death came – at the time when he was killed – Allah's Messenger ﷺ said: "Prepare food for Ja'far's family, for that which has come to them (i.e. the news of his death) preoccupies[3] them." [Reported by *Al-Khamsa* except An-Nasā'i].

(٤٧٩) وَعَنْ عَبْدِ اللهِ بْنِ جَعْفَرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَمَّا جَاءَ نَعْيُ جَعْفَرٍ، حِينَ قُتِلَ، قَالَ رَسُولُ اللهِ ﷺ: «اصْنَعُوا لِآلِ جَعْفَرٍ طَعَاماً، فَقَدْ أَتَاهُمْ مَا يَشْغَلُهُمْ». أَخْرَجَهُ الخَمْسَةُ إِلَّا النَّسَائِيَّ.

480. Narrated Sulaiman bin Buraida[4] (ﷺ) on the authority of his father:

(٤٨٠) وَعَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُعَلِّمُهُمْ إِذَا خَرَجُوا

When the son of the Prophet ﷺ, Ibrāhim passed away, the tears were streaming from his eyes. Upon seeing this, 'Abdur-Rahmān bin 'Auf رضي الله عنه said, "O Messenger of Allāh, do you weep too?" The Prophet ﷺ answered, "This is out of affection and not lack of patience."

[1] This has many reasons. One of the reasons is that not many people can participate in a funeral at night. Another reason is to protect the people from the harm of earthly insects that usually frequent such places like graveyards at night.

[2] He is Ja'far bin Abu Tālib, the elder brother of 'Ali, who was older than him by ten years. He migrated to Abyssinia (Ethiopia) and stayed there whereby An-Najāshi and those who followed him became Muslims through him. Then he migrated to Al-Madīnah and reached Khaibar after its conquest. The Prophet ﷺ kissed him between his eyes and said, "I don't know whether I am more happy with the arrival of Ja'far or with the conquest of Khaibar?" Ja'far was one of the most generous people. He was martyred in the battle of Mu'ta in 8 H. while he was the army commander. Both of his hands were cut off, and the Prophet ﷺ said, "Allāh gave him – in the place of his two hands – two wings with which he flies wherever he wishes in Paradise." And from that he was called "Ja'far the flier" and "Ja'far the two-winged".

[3] This *Hadīth* is an evidence that feeding the relatives of the deceased person is *Sunnah* (supererogatory). In terms of rights concerning this, neighbors are the foremost. Offering food on the first day is *Sunnah* (supererogatory); on the second day, it is *Makruh* (undesirable), whereas the same is forbidden on the third day. In case the women belonging to a house in which the food is being prepared are themselves the mourners, then the viewpoints of the scholars concerning this food are different. The practice of gathering into the deceased person's house on the part of the relatives and thereby making themselves to be an unnecessary burden upon the family of the deceased person, which is very much in vogue nowadays, is extremely bad.

[4] He is Ibn Al-Husaib and is an Aslami and a Marwazi. He was a *Tābi'i* whose reliability was verified by Ibn Ma'in and Abu Hātim. Al-Hākim said, "He did not mention having heard a

Allāh's Messenger ﷺ used to teach them (his Companions) to say – when they went out to the cemeteries: "Peace be upon you, inhabitants of the dwellings, who are of the believers and the Muslims. If Allāh wills, we shall join you. We ask Allāh to grant us and you well being". [Reported by Muslim].

إِلَى الْمَقَابِرِ أَنْ يَقُولُوا: السَّلَامُ عَلَى أَهْلِ الدِّيَارِ مِنَ الْمُؤْمِنِينَ وَالْمُسْلِمِينَ، وَإِنَّا إِنْ شَاءَ اللَّهُ بِكُمْ لَاحِقُونَ، نَسْأَلُ اللَّهَ لَنَا وَلَكُمُ الْعَافِيَةَ. رَوَاهُ مُسْلِمٌ.

481. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ passed by some graves in Al-Madīnah, turned his face towards them and then said, "Peace be upon you, inhabitants of the graves. May Allāh forgive us and you, you have gone before us and we are coming after you.[1] " [At-Tirmidhi reported and graded it *Hasan* (good)].

(٤٨١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: مَرَّ رَسُولُ اللهِ ﷺ بِقُبُورِ الْمَدِينَةِ فَأَقْبَلَ عَلَيْهِمْ بِوَجْهِهِ، فَقَالَ: «السَّلَامُ عَلَيْكُمْ، يَا أَهْلَ الْقُبُورِ! يَغْفِرُ اللَّهُ لَنَا وَلَكُمْ، أَنْتُمْ سَلَفُنَا، وَنَحْنُ بِالأَثَرِ». رَوَاهُ التِّرْمِذِيُّ، وَقَالَ: حَسَنٌ.

482. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ said: "Do not revile the dead, for they have reached what they have sent before them." [Al-Bukhāri reported it]. At-Tirmidhi reported something similar from Al-Mughira, but he said: "lest you hurt the living.[2] "

(٤٨٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَسُبُّوا الأَمْوَاتَ، فَإِنَّهُمْ قَدْ أَفْضَوْا إِلَى مَا قَدَّمُوا». رَوَاهُ الْبُخَارِيُّ، وَرَوَى التِّرْمِذِيُّ عَنِ الْمُغِيرَةِ نَحْوَهُ، لَكِنْ قَالَ: «فَتُؤْذُوا الأَحْيَاءَ».

Hadīth from his father." Al-Khazraji said, "The *Hadīth* that he narrated from his father are in a number of places in Muslim."

[1] Going to the graveyard and making supplications to Allāh for the forgiveness of the dead is *Sunnah* and proven by several *Ahadīth*. One can go to the graveyard keeping in view just two purposes: a) Making supplications to Allāh in favor of the dead, b) To remember death. Whoever goes to the graveyard pursuing a purpose other than the ones mentioned above, (i.e., lamenting, seeking redress, making bowings and prostrations and asking for the fulfillment of their wishes, etc.), his visiting of the graveyard is forbidden and unlawful.

[2] This *Hadīth* tells us that it is prohibited to mention the deceased person with bad things or vices and disseminating the same among people, but this ruling relates to the Muslims and pious people.

4. THE BOOK OF *ZAKAT*[1]

٤ - كِتَابُ الزَّكَاةِ

483. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ sent Mu'ādh ﷺ to Yemen... – [here he mentioned the rest of the *Hadīth* which has]: "Allāh has made obligatory for them, in their wealth, a *Sadaqa* to be taken from their rich and returned to their poor."[2] [Agreed upon, and the wording is from Al-Bukhāri].

(٤٨٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ بَعَثَ مُعَاذاً رَضِيَ اللَّهُ تَعَالَى عَنْهُ إِلَى الْيَمَنِ، فَذَكَرَ الْحَدِيثَ، وَفِيهِ: «إِنَّ اللَّهَ قَدِ افْتَرَضَ عَلَيْهِمْ صَدَقَةً فِي أَمْوَالِهِمْ، تُؤْخَذُ مِنْ أَغْنِيَائِهِمْ، فَتُرَدُّ فِي فُقَرَائِهِمْ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

484. Narrated Anas ﷺ that Abū Bakr As-Siddiq ﷺ wrote him (this letter): 'This is the obligatory *Sadaqa* which Allāh's Messenger ﷺ imposed on the Muslims[3] which Allāh commanded him to impose.[4] For every twenty-four camels or less, a sheep is to be given for every five. When they reach twenty-five to thirty-five, a she-camel in her second year[5] is to be given; if there is no she-camel, a he-camel in his third year is to be given. When they reach thirty-six to forty-five, a she-camel in her third year is to be given. When they reach forty-six to sixty, a she-camel in her fourth year[6] which is ready to

(٤٨٤) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ أَبَا بَكْرٍ رَضِيَ اللهُ عَنْهُ كَتَبَ لَهُ: هٰذِهِ فَرِيضَةُ الصَّدَقَةِ الَّتِي فَرَضَهَا رَسُولُ اللهِ ﷺ عَلَى الْمُسْلِمِينَ، وَالَّتِي أَمَرَ اللَّهُ بِهَا رَسُولَهُ: «فِي كُلِّ أَرْبَعٍ وَعِشْرِينَ مِنَ الإِبِلِ فَمَا دُونَهَا الْغَنَمُ: فِي كُلِّ خَمْسٍ شَاةٌ، فَإِذَا بَلَغَتْ خَمْساً وَعِشْرِينَ إِلَى خَمْسٍ وَثَلَاثِينَ، فَفِيهَا بِنْتُ مَخَاضٍ أُنْثَى، فَإِنْ لَمْ تَكُنْ فَابْنُ لَبُونٍ ذَكَرٌ. فَإِذَا بَلَغَتْ سِتّاً وَثَلاثِينَ إِلَى خَمْسٍ وَأَرْبَعِينَ فَفِيهَا بِنْتُ لَبُونٍ أُنْثَى. فَإِذَا بَلَغَتْ سِتّاً وَأَرْبَعِينَ، إِلَى سِتِّينَ،

[1] The meaning of *Zakāt* is "to increase and to become pure". Because the payment of *Zakāt* leads to an increase in wealth and considered to be a reason for its cleansing, this obligation has been named *Zakāt* by the *Shari'a* (Islamic law). *Zakāt* was declared an obligation in the year 2 H., prior to the proclamation of the ruling concerning fasting.

[2] It becomes thus known to us that *Zakāt* is obligatory on the rich among the Muslims. This is meant to provide a financial assistance to the poor Muslims and that the same cannot be given to the disbelievers. We are further informed that the *Zakāt* originating from a certain city should be distributed among the poor belonging to the same city itself.

[3] When Abū Bakr Siddiq رضي الله عنه sent Anas رضي الله عنه deputing him as the Governor of Bahrain, he gave him these instructions regarding *Zakāt* in a written form.

[4] This narration, in terms of its authenticity (i.e., in the context of the chain of narrators), is absolutely authentic. In terms of text, it is conspicuously clear and there is a consensus of the Companions of the Prophet ﷺ on its validity. None of the Companions of the Prophet ﷺ is reported to have refuted it.

[5] *Bint Makhād* بنت مخاض is a term used for a she-camel which is of one year and is in the second year of its age.

[6] *Hiqqa* حقة is a term used for a she-camel which is three-year-old, running in its fourth year

be mated with by a stallion-camel is to be given. When they reach sixty-one to seventy-five, a she-camel in her fifth year is to be given. When they reach seventy-six to ninety, two she-camels in their third year are to be given. When they reach ninety-one to a hundred and twenty, two she-camels in their fourth year which are ready to be mated with by a stallion-camel are to be given. When they exceed a hundred and twenty, a she-camel in her third year is to be given for every forty and a she-camel in her fourth year for every fifty. If anyone has only four camels, no *Sadaqa* is payable on them, unless their owner wishes. Concerning the *Sadaqa* on sheep which are pasturing, when they number from forty to a hundred and twenty, a sheep is to be given. On over a hundred and twenty, up to two hundred, two sheep are to be given. On over two hundred, up to three hundred, three sheep are to be given. If they exceed three hundred, a sheep is to be given for every hundred. If a man's pasturing sheep are one less than forty, no *Sadaqa* is due on them unless their owner wishes. Those which are separate flocks are not to be brought together and those which are in one flock are not to be separated[1] from fear of *Sadaqa*. Regarding what

فَفِيهَا حِقَّةٌ طَرُوقَةُ الجَمَلِ . فَإِذَا بَلَغَتْ وَاحِدَةً وَسِتِّينَ ، إِلَى خَمْسٍ وَسَبْعِينَ ، فَفِيهَا جَذَعَةٌ . فَإِذَا بَلَغَتْ سِتًّا وَسَبْعِينَ ، إِلَى تِسْعِينَ ، فَفِيهَا بِنْتَا لَبُونٍ . فَإِذَا بَلَغَتْ إِحْدَى وَتِسْعِينَ ، إِلَى عِشْرِينَ وَمِائَةٍ ، فَفِيهَا حِقَّتَانِ طَرُوقَتَا الجَمَلِ . فَإِذَا زَادَتْ عَلَى عِشْرِينَ وَمِائَةٍ ، فَفِي كُلِّ أَرْبَعِينَ بِنْتُ لَبُونٍ ، وَفِي كُلِّ خَمْسِينَ حِقَّةٌ . وَمَنْ لَمْ يَكُنْ مَعَهُ إِلَّا أَرْبَعٌ مِنَ الإِبِلِ ، فَلَيْسَ فِيهَا صَدَقَةٌ ، إِلَّا أَنْ يَشَاءَ رَبُّهَا . وَفِي صَدَقَةِ الغَنَمِ ، فِي سَائِمَتِهَا : إِذَا كَانَتْ أَرْبَعِينَ ، إِلَى عِشْرِينَ وَمِائَةٍ شَاةٍ ، شَاةٌ . فَإِذَا زَادَتْ عَلَى عِشْرِينَ وَمِائَةٍ إِلَى مِائَتَيْنِ ، فَفِيهَا شَاتَانِ . فَإِذَا زَادَتْ عَلَى مِائَتَيْنِ ، إِلَى ثَلَاثِمِائَةٍ ، فَفِيهَا ثَلَاثُ شِيَاهٍ . فَإِذَا زَادَتْ عَلَى ثَلَاثِمِائَةٍ ، فَفِي كُلِّ مِائَةٍ ، شَاةٌ . فَإِذَا كَانَتْ سَائِمَةُ الرَّجُلِ نَاقِصَةً عن أَرْبَعِينَ شَاةً ، شَاةً وَاحِدَةً ، فَلَيْسَ فِيهَا صَدَقَةٌ ، إِلَّا أَنْ يَشَاءَ رَبُّهَا ، وَلَا يُجْمَعُ بَيْنَ مُتَفَرِّقٍ ، وَلَا يُفَرَّقُ بَيْنَ مُجْتَمِعٍ ، خَشْيَةَ الصَّدَقَةِ . وَمَا كَانَ مِنَ خَلِيطَيْنِ فَإِنَّهُمَا يَتَرَاجَعَانِ بَيْنَهُمَا بِالسَّوِيَّةِ . وَلَا يُخْرَجُ فِي الصَّدَقَةِ هَرِمَةٌ ، وَلَا ذَاتُ عَوَارٍ ، وَلَا تَيْسٌ ، إِلَّا أَنْ يَشَاءَ المُصَدِّقُ . وَفِي الرِّقَةِ : فِي مِائَتَيْ دِرْهَمٍ ، رُبْعُ العُشْرِ ، فَإِنْ لَمْ تَكُنْ إِلَّا

---

and is capable of mating.

[1] 'To separate cases of *Zakāt*' may be exemplified as follows:

There are two persons owning a flock of fifty goats each. Hence they are required to give one goat each out of their respective shares. If both of these persons merge their flocks into one, they can save one goat collectively as the *Zakāt* payable on 100 goats will still be one goat.

'To separate a unified case of *Zakāt*' may be exemplified as follows:

Two persons own a flock of fifty goats (on an equal partnership basis). Therefore one goat among these shall be payable as *Zakāt*. If they split the flock into 25 goats each, they may avoid the *Zakāt*, as there is no *Zakāt* payable if their number is less than forty. Similarly, a person who is authorized to collect *Zakāt* payment, should not either split or gather the belonging of people, i.e., in case two people own a herd of 30 goats each, and are exempted from *Zakāt*, he should not gather these goats and treat them as one single flock to claim one goat out of it.

belongs to two partners, they can make claims for restitution from one another with equity.[1] An old sheep, one with a defect in the eye, or a male goat is not to be brought forth as *Sadaqa* unless the collector wishes.[2] On silver: For two hundred Dirhams,[3] a fortieth is payable, but if there are only a hundred and ninety nothing is payable, unless their owner wishes. If anyone, whose camels reach the number for which a she-camel in her fifth year is payable, does not possess one but possesses one in her fourth year,[4] that will be accepted from him along with two sheep if he can conveniently give them, or else twenty Dirhams. If anyone whose camels reach the number for which a she-camel in her fourth year[5] is payable does not possess one but possesses one in her fifth year, that will be accepted from him, and the collector must give him twenty Dirhams or two sheep.' [Reported by Al-Bukhāri].

تِسْعِينَ وَمِائَةٍ، فَلَيْسَ فِيهَا صَدَقَةٌ، إِلَّا أَن يَشَاءَ رَبُّهَا. وَمَنْ بَلَغَتْ عِنْدَهُ مِنَ الإِبِلِ صَدَقَةُ الجَذَعَةِ، وَلَيْسَتْ عِنْدَهُ جَذَعَةٌ، وَعِنْدَهُ حِقَّةٌ، فَإِنَّهَا تُقْبَلُ مِنْهُ، وَيَجْعَلُ مَعَهَا شَاتَيْنِ إِنِ اسْتَيْسَرَتَا لَهُ، أَوْ عِشْرِينَ دِرْهَماً. وَمَنْ بَلَغَتْ عِنْدَهُ صَدَقَةُ الحِقَّةِ، وَلَيْسَتْ عِنْدَهُ الحِقَّةُ، وَعِنْدَهُ الجَذَعَةُ، فَإِنَّهَا تُقْبَلُ مِنْهُ الجَذَعَةُ، وَيُعْطِيهِ المُصَدِّقُ عِشْرِينَ دِرْهَماً أَوْ شَاتَيْنِ. رَوَاهُ البُخَارِيُّ.

485. Narrated Mu'ādh bin Jabal ﷺ: The Prophet ﷺ sent him to Yemen, and ordered him to take a one-year-old male or female calf for every thirty cattle, and a cow in its third year[6] for

(٤٨٥) وَعَنْ مُعَاذِ بْنِ جَبَلٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ بَعَثَهُ إِلَى اليَمَنِ، فَأَمَرَهُ أَنْ يَأْخُذَ مِنْ كُلِّ ثَلَاثِينَ بَقَرَةً تَبِيعاً أَوْ تَبِيعَةً، وَمِنْ كُلِّ أَرْبَعِينَ مُسِنَّةً، وَمِنْ كُلِّ حَالِمٍ دِينَاراً، أَوْ

[1] For instance, two person own 140 goats. One of them owns forty and another one a hundred. Therefore, two of these goats are to be given away as *Zakāt*. Now, if the owner of forty goats addresses the other person and says, "You'd better make a payment of one goat and a half, whereas I shall pay for the rest of the half goat", this is a wrong demand. The ruling is that the owner of 40 goats will have to pay one full goat and the owner of 100 goats will also have to give away one goat only as *Zakāt*.

[2] It means that the one who is giving *Zakāt* should not try to pay his *Zakāt* from his defective property. Similarly, the receiving person should not exert himself in taking the best of the person's property. The goods given away as such should be of a moderate quality.

[3] 1/12th of one *Uqiya* of gold (in value).

[4] *Jadha'a* جذعة is a term used for a she-camel which is four-year-old and entering its fifth year.

[5] *Hiqqa* حقة is a term used for a she-camel which is three-year-old and entering its fourth.

[6] Cows and buffaloes are the same species. All of them, of different sexes and ages, shall be included in the head count. No *Zakāt* is obligatory if someone owns less than thirty cows.

every forty, and one Dinār for every adult (disbeliever as *Jizya*)[1] of clothes of equivalent value manufactured in Yemen. [Reported by *Al-Khamsa*, and the wording is Ahmad's. At-Tirmidhi graded it *Hasan* (good), but pointed to the difference about whether or not it is *Mawsul* (unbroken chain). Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

عَدْلَه مَعَافِرِيّاً. رَوَاهُ الخَمْسَةُ، وَاللَّفْظُ لِأَحْمَدَ، وَحَسَّنَهُ التِّرْمِذِيُّ، وَأَشَارَ إِلَى اخْتِلَافٍ فِي وَصْلِهِ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

486. Narrated 'Amr bin Shu'aib on his father's authority from his grand father (ﷺ): Allāh's Messenger ﷺ said, "The *Sadaqāt* of the Muslims are to be received at their watering points." [Reported by Ahmad]. Abū Dā'ud also has: "Their *Sadaqāt* are to be received only at their dwellings."

(٤٨٦) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «تُؤْخَذُ صَدَقَاتُ المُسْلِمِينَ عَلَى مِيَاهِهِمْ». رَوَاهُ أَحْمَدُ. وَلِأَبِي دَاوُدَ: «لَا تُؤْخَذُ صَدَقَاتُهُمْ إِلَّا فِي دُورِهِمْ».

487. Narrated Abū Huraira (ﷺ): Allāh's Messenger ﷺ said, "No *Sadaqa* is due from a Muslim on his slave or his horse." [Reported by Al-Bukhāri]. Muslim has: "There is no *Sadaqa* on a slave except *Sadaqatul-Fitr*."

(٤٨٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَيْسَ عَلَى المُسْلِمِ فِي عَبْدِهِ وَلَا فَرَسِهِ صَدَقَةٌ». رَوَاهُ البُخَارِيُّ. وَلِمُسْلِمٍ: «لَيْسَ فِي العَبْدِ صَدَقَةٌ، إِلَّا صَدَقَةَ الفِطْرِ».

488. Narrated Bahz[2] bin Hakim on his father's[3] authority from his grandfather[4] (ﷺ): Allāh's Messenger ﷺ said, "For forty pasturing camels,[5] one she-camel in her third year is to be

(٤٨٨) وَعَنْ بَهْزِ بْنِ حَكِيمٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «فِي كُلِّ سَائِمَةِ إِبِلٍ: فِي أَرْبَعِينَ بِنْتُ لَبُونٍ، لَا تُفَرَّقُ إِبِلٌ عَنْ

Upon the ownership of 30 cows, one has to pay one-year-old calf. If the number of cows owned is between 40 and 69, the *Zakāt* shall be a two-year-old calf. If the number of the cattle owned is 70, the same shall be the *Zakāt* i.e. a one-year-old calf in addition to a two-year-old calf.

[1] A head tax paid by a non-Muslim living in an Islamic state.

[2] Abū 'Abdul Malik Bahz bin Hakim bin Mu'āwiya bin Haida Al-Qushairi Al-Basri was a *Tābi'i* of the sixth grade. His reliability has been disputed. Abū Dā'ud said, "His *Ahadīth* are authentic."Also Ibn Ma'in, Ibn Al-Madini and An-Nasā'i approved of him. But Abū Hātim said, He is not an authority (in *Hadīth*)." Ibn Hibbān also said, "He used to err a lot in the *Hadīth*." He died after the one hundred forties of Hijra or before the sixties.

[3] He is also a *Tābi'i* and Ibn Hibbān included him among the reliable *Hadīth* reporters.

[4] Mu'āwiya bin Haida bin Mu'āwiya bin Qushair bin Ka'b Al-Qushairi was a *Sahābi* who settled at Basra and he has narrated some *Ahadīth*.

[5] The condition of *Zakāt* concerning the cattle is that they should be authentic and robust enough to graze for themselves. This condition has been specifically mentioned with regard

حِسَابِهَا، مَنْ أَعْطَاهَا مُؤْتَجِراً بِهَا، فَلَهُ أَجْرُهَا، وَمَنْ مَنَعَهَا، فَإِنَّا آخِذُوهَا وَشَطْرَ مَالِهِ، عَزْمَةً مِنْ عَزَمَاتِ رَبِّنَا، لَا يَحِلُّ لِآلِ مُحَمَّدٍ مِنْهَا شَيْءٌ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ الحَاكِمُ، وَعَلَّقَ الشَّافِعِيُّ القَوْلَ بِهِ عَلَى ثُبُوتِهِ.

given. The camels are not to be separated during the counting process. He who pays *Zakāt* with the intention of getting reward will be rewarded. If anyone evades *Zakāt*, we shall take it together with half (or some) of his property, this being a duty from that which has been made obligatory by our *Rabb*, the Exalted. There is no share in it (*Zakāt*) for the family of Muhammad." [Reported by Ahmad, Abū Dā'ud and An-Nasā'i. Al-Hākim graded it *Sahih* (authentic)]. Ash-Shafi'i[1] held that acceptance of the ruling derived from this *Hadith* depends upon its authenticity being confirmed.

(٤٨٩) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا كَانَتْ لَكَ مائَتَا دِرْهَمٍ، وَحَالَ عَلَيْهَا الحَوْلُ، فَفِيهَا خَمْسَةُ دَرَاهِمَ، وَلَيْسَ عَلَيْكَ شَيْءٌ، حَتَّى يَكُونَ لَكَ عِشْرُونَ دِينَاراً، وَحَالَ عَلَيْهَا الحَوْلُ، فَفِيهَا نِصْفُ دِينَارٍ، فَمَا زَادَ، فَبِحِسَابِ ذَلِكَ، وَلَيْسَ فِي مَالٍ زَكَاةٌ، حَتَّى يَحُولَ عَلَيْهِ الحَوْلُ». رَوَاهُ أَبُو دَاوُدَ، وَهُوَ حَسَنٌ، وَقَدِ اخْتَلَفُوا فِي رَفْعِهِ.

489. Narrated 'Ali ﷺ: Allah's Messenger ﷺ said, "If you possess two hundred Dirhams till one year passes, five Dirhams are payable on them; and you are not liable to pay anything till you possess twenty Dinars for one year, thereupon half a Dinar[2] is payable on them. Whatever exceeds that, will be counted likewise. And no *Zakāt* is payable on wealth, till a year passes (from the time of its possession)." [Reported by Abū Dā'ud. It is *Hasan* (good), but they disagreed on its *Marfū'* status (i.e. being attributed to the Prophet)].

وَلِلتِّرْمِذِيِّ عَنِ ابْنِ عُمَرَ: مَنِ اسْتَفَادَ مَالاً،

At-Tirmidhi has this from Ibn 'Umar (ﷺ): "He who acquires wealth is not

to goats and camels. However, the same ruling has been presumed to be applicable to cows and buffaloes also.

[1] This *Hadīth* specifies that if a person does not pay the *Zakāt* voluntarily, an Islamic Government may impose a fine on him amounting to the value of half of his goods and may do so forcibly. Collecting the *Zakāt* by force shall indeed fulfill the obligation binding on such a person, but he shall be deprived of the reward.

[2] This *Hadīth* contains a statement concerning *Zakāt* to be levied on gold and silver. The ruling about the silver is that no *Zakāt* is payable on it if it is less than 200 Dirhams in its worth. The quantity of silver subject to *Zakāt* is fifty-two and a half *tolas* (611.5 grams) and the *Zakāt* thus levied on it shall be @ one-fortieth. Similarly, the quantity of gold subject to *Zakāt* is seven and a half *tolas* (87 grams) and *Zakāt* payable on it shall also be @ one fortieth. An identical one-fortieth ruling is applicable on currency notes also.

liable for *Zakāt* on it, till a year passes." [The stronger view is that this *Hadīth* is *Mawqūf* (saying of a Companion)].

فَلَا زَكَاةَ عَلَيْهِ، حَتَّى يَحُولَ عَلَيْهِ الحَوْلُ. وَالرَّاجِحُ وَقْفُهُ.

490. Narrated 'Ali ﷺ: There is no *Sadaqa* on the working cattle.[1] [Reported by Abū Dā'ud and Ad-Dāraqutni. The stronger view is that this *Hadīth* is *Mawqūf* (saying of a Companion)].

(٤٩٠) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَيْسَ فِي البَقَرِ العَوَامِلِ صَدَقَةٌ. رَوَاهُ أَبُو دَاوُدَ وَالدَّارَقُطْنِيُّ، وَالرَّاجِحُ وَقْفُهُ أَيْضاً.

491. Narrated 'Amr bin Shu'aib on his father's authority from his grandfather 'Abdullāh bin 'Amr (ﷺ): Allāh's Messenger ﷺ said, "Whoever is the guardian of an orphan who has wealth, he must trade with it and not leave it till the *Sadaqa* consumes it."[2] [Reported by At-Tirmidhi and Ad-Dāraqutni, and its *Isnād* (chain) is weak. It has a supporting narration which is *Mursal* (missing link in the chain after the *Tābi'i*) reported by Ash-Shafi'i].

(٤٩١) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ عَبْدِ اللهِ بْنِ عَمْرٍو، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَنْ وَلِيَ يَتِيماً لَهُ مَالٌ، فَلْيَتَّجِرْ لَهُ، وَلَا يَتْرُكْهُ حَتَّى تَأْكُلَهُ الصَّدَقَةُ». رَوَاهُ التِّرْمِذِيُّ وَالدَّارَقُطْنِيُّ، وَإِسْنَادُهُ ضَعِيفٌ، وَلَهُ شَاهِدٌ مُرْسَلٌ عِنْدَ الشَّافِعِيِّ.

492. Narrated 'Abdullāh bin Abū 'Aufa ﷺ: Whenever people used to bring their *Sadaqāt* to Allah's Messenger ﷺ he would say, "O Allāh, bless them." [Agreed upon].

(٤٩٢) وَعَنْ عَبْدِ اللهِ بْنِ أَبِي أَوْفَى رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا أَتَاهُ قَوْمٌ بِصَدَقَتِهِمْ قَالَ: «اللَّهُمَّ صَلِّ عَلَيْهِمْ». مُتَّفَقٌ عَلَيْهِ.

493. Narrated 'Ali ﷺ: Al-'Abbās (ﷺ) asked the Prophet ﷺ about paying his *Sadaqa* in advance before it became due, and he gave him permission[3] to do that. [Reported by At-Tirmidhi and Al-Hākim].

(٤٩٣) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ العَبَّاسَ سَأَلَ النَّبِيَّ ﷺ فِي تَعْجِيلِ صَدَقَتِهِ قَبْلَ أَن تَحِلَّ، فَرَخَّصَ لَهُ فِي ذٰلِكَ. رَوَاهُ التِّرْمِذِيُّ وَالحَاكِمُ.

494. Narrated Jābir bin 'Abdullāh ﷺ: Allah's Messenger ﷺ said, "No *Sadaqa*

(٤٩٤) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ

[1] The cattle used for farming, watering or transportation, etc.

[2] There is a difference of opinion among the scholars as to whether or not an orphan's wealth is subject to *Zakāt*, there is a difference of opinions among the scholars regarding it. There is a lengthy discussion about it. However, it is better to pay *Zakāt* on it.

[3] The days and timings of *Hajj*, *Salāt*, and *Saum* (fasting) are all specified. As far as *Zakāt* is concerned, it's payment can be made in advance, even though it only becomes an obligation after it has been in the person's possession for a period of one year.

is payable on less than five *Uqiya*[1] (595 grams) of silver, nor on less than five heads of camels, nor on less than five *Awsuq*[2] (652.8 Kilograms) of dates."[3] [Reported by Muslim].

تَعَالَى عَنْهُما، عَنْ رَسُولِ اللهِ ﷺ قَالَ: «لَيْسَ فِيمَا دُونَ خَمْسِ أَوَاقٍ مِنَ الوَرِقِ صَدَقَةٌ، وَلَيْسَ فِيمَا دُونَ خَمْسِ ذَوْدٍ مِنَ الإِبِلِ صَدَقَةٌ، وَلَيْسَ فِيمَا دُونَ خَمْسَةِ أَوْسُقٍ مِنَ التَّمْرِ صَدَقَةٌ». رَوَاهُ مُسْلِمٌ.

He (Muslim) reported from the *Hadith* of Abū Sa'īd (ﷺ): Allāh's Messenger ﷺ said, "No *Sadaqa (Zakāt)* is payable on less than five *Awsuq* of dates or grains."[4] [The basic meaning of the *Hadith* is reported by al-Bukhari and Muslim].

وَلَهُ مِنْ حَدِيثِ أَبِي سَعِيدٍ رَضِيَ اللَّهُ عَنْهُ «لَيْسَ فِيمَا دُونَ خَمْسَةِ أَوْسَاقٍ مِنْ تَمْرٍ وَلَا حَبٍّ صَدَقَةٌ». وَأَصْلُ حَدِيثِ أَبِي سَعِيدٍ مُتَّفَقٌ عَلَيْهِ.

495. Narrated Sālim bin 'Abdullāh on the authority of his father: The Prophet ﷺ said, "A tenth is payable on what is watered by rain or springs or by underground water, and a twentieth on what is watered by irrigation [through human efforts]." [Reported by Al-Bukhāri]. Abū Dā'ud has: "When it (farm produce) is watered by underground water, a tenth is payable; but a twentieth is payable on what is watered by irrigation, [water-wheels or that which is drawn up from a well by a farm animal]."

(٤٩٥) وَعَنْ سَالِمِ بْنِ عَبْدِ اللهِ، عَنْ أَبِيهِ، عَنِ النَّبِيِّ ﷺ قَالَ: فِيمَا سَقَتِ السَّمَاءُ وَالعُيُونُ، أَوْ كَانَ عَثَرِيًّا، الْعُشْرُ، وَفِيمَا سُقِيَ بِالنَّضْحِ نِصْفُ العُشْرِ. رَوَاهُ البُخَارِيُّ. وَلأَبِي دَاوُدَ: أَوْ كَانَ بَعْلاً الْعُشْرُ، وَفِيمَا سُقِيَ بِالسَّوَانِي أَوِ النَّضْحِ نِصْفُ العُشْرِ.

---

[1] Since the value of an *Uqiya* is forty Dirhams (or 119 grams), five *Awaqin* shall be equivalent to 200 Dirhams or 595 grams of silver.

[2] One *Wasq* is equivalent to 60 *Saa'* or 135 Kilograms; five *Awsuq* being equivalent to 675 Kilograms.

[3] According to the present day measurement, the amount of *Zakāt* payable on every twenty *maund* of grain (8 quintals) shall amount to the value of one maund of grain (40 kilograms approx.) In case the quantity of grain happens to be less than 8 quintals, no *Zakāt* is obligatory on it. (8 quintals is equal to 5 *Wasq* which is stated in the *Hadīth*). In case someone owns more than 85 grams of gold, *Zakāt* becomes obligatory on him. In case someone owns silver exceeding 595 grams in quantity, it is an obligation on him to pay *Zakāt*.

[4] Any grain which can be stored for a year, is liable to *Zakāt* payment. Wheat, barley, rice, millet, Indian corn, maize, pulses and grams, etc., fall in this category. The amount of *Zakāt* payable on these may differ according to the varying amount of labor and exertion spent on the produce. The produce of a land that is irrigated by floodwater, rain or a natural affluent or rivulet will be subject to the one-tenth of its production to be paid off as *Zakāt*. In case a land is irrigated by well-water or against a monetary payment like canal water, then its produce will be subjected to one-twentieth *Zakāt* payment only on the total.

496. Narrated Abū Musa Al-Ash'ari and Mu'ādh ﷺ: The Prophet ﷺ said to them, "Collect *Sadaqa* only on these four kinds: barley, wheat, raisins and dates." [Reported by At-Tabarāni and Al-Hākim].

(٤٩٦) وَعَنْ أَبِي مُوسَى الأَشْعَرِيِّ وَمُعَاذٍ رَضِيَ اللّٰهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ لَهُمَا: لَا تَأْخُذَا فِي الصَّدَقَةِ إِلَّا مِنْ هٰذِهِ الأَصْنَافِ الأَرْبَعَةِ: الشَّعِيرِ، وَالحِنْطَةِ، وَالزَّبِيبِ، وَالتَّمْرِ. رَوَاهُ الطَّبَرَانِيُّ وَالحَاكِمُ.

Ad-Dāraqutni has, on the authority of Mu'ādh: He said, "But cucumber, water melon, pomegranate and sugarcane were exempted (from *Sadaqa*) by Allāh's Messenger ﷺ." [Its chain of narrators is weak].

وَلِلدَّارَقُطْنِيِّ عَنْ مُعَاذٍ قَالَ: فَأَمَّا القِثَّاءُ وَالبِطِّيخُ وَالرُّمَّانُ وَالقَصَبُ، فَقَدْ عَفَا عَنْهُ رَسُولُ اللهِ ﷺ. وَإِسْنَادُهُ ضَعِيفٌ.

497. Narrated Sahl bin Abū Hathma[1] ﷺ: Allāh's Messenger ﷺ ordered us, "When you estimate (the *Sadaqa* of fruits like dates) take them leaving a third; and if you do not leave a third, leave a quarter (of the estimated *Sadaqa* for the owners)"[2] . [Reported by *Al-Khamsa* except Ibn Mājah. Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

(٤٩٧) وَعَنْ سَهْلِ بْنِ أَبِي حَثْمَةَ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ قَالَ: أَمَرَنَا رَسُولُ اللهِ ﷺ: «إِذَا خَرَصْتُمْ فَخُذُوا، وَدَعُوا الثُّلُثَ، فَإِنْ لَمْ تَدَعُوا الثُّلُثَ، فَدَعُوا الرُّبُعَ». رَوَاهُ الخَمْسَةُ إِلَّا ابْنَ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

498. Narrated 'Attāb bin Asīd[3] ﷺ: Allah's Messenger ﷺ ordered to estimate *Zakāt* on grapevines just as it is done with palm trees, then the *Zakāt* is to be paid in raisins (as the *Zakāt* on palm trees is paid in dried dates).

(٤٩٨) وَعَنْ عَتَّابِ بْنِ أَسِيدٍ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ قَالَ: أَمَرَنَا رَسُولُ اللهِ ﷺ أَنْ يُخْرَصَ العِنَبُ، كَمَا يُخْرَصُ النَّخْلُ، وَتُؤْخَذَ زَكَاتُهُ زَبِيباً. رَوَاهُ الخَمْسَةُ، وَفِيهِ انْقِطَاعٌ.

---

[1] Sahl bin Abū Hathma's real name was 'Abdullāh or 'Aamir bin Sā'ida bin 'Aamir Al-Ansāri Al-Khazraji Al-Madani. He was a young *Sahābi* born in 3 H. He settled at Kufa and is considered as an inhabitant of Al-Madīnah where he died during the governorship of Mus'ab bin Az-Zubair.

[2] The meaning of Arabic word *Khars* خرص is to guess or estimate; an expert's estimation by looking at the grape-vines or date-palms about the quantity of its produce after maturing and ripening. Such a person must perform his duty with the utmost sincerity. The ruling for a *Zakāt* collector is that he should leave one-third of the amount so speculated. In case he does not approve of it, he must leave one-fourth of the amount, as sometimes a traveler or a wayfarer may eat out of it (the fruits) or at times the owner may present some of it to his neighbors, etc.

[3] 'Attāb bin Asīd bin Abū Al-'Ais bin Umaiya bin 'Abd Shams Al-Umawi Al-Makki was a *Sahābi*. The Prophet ﷺ appointed him over Makkah in the year of its conquest, as he was proceeding to Hunain. He continued to govern it until Abū Bakr died. It is said that he died on the same day that Abū Bakr died. It is also said that he lived until the end of 'Umar's Caliphate.

[Reported by *Al-Khamsa*. It has *Inqitā'* (missing links in the chain of narrators)].

499. Narrated 'Amr bin Shu'aib on his father's authority from his grand father (ﷺ): A woman came to the Prophet ﷺ, and she was accompanied by her daughter who wore two gold bangles in her hands. He asked her "Do you pay their *Zakāt*?" She said, "No." He then said, "Will you be pleased[1] if Allāh puts two bangles of fire on you, in their place, on the Day of Resurrection?" Thereupon she threw them away. [Reported by *Ath-Thalatha,* and its chain of narrators is strong. It is authenticated by Hākim from 'Aisha's *Hadīth*].

(٤٩٩) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، أَنَّ امرَأَةً أَتَتِ النَّبِيَّ ﷺ وَمَعَهَا ابْنَةٌ لَهَا، وَفِي يَدِ ابْنَتِهَا مَسْكَتَانِ مِنْ ذَهَبٍ، فَقَالَ لَهَا: «أَتُعْطِينَ زَكَاةَ هٰذَا؟» قَالَتْ: لَا، قَالَ: «أَيَسُرُّكِ أَنْ يُسَوِّرَكِ اللَّهُ بِهِمَا يَوْمَ القِيَامَةِ سِوَارَيْنِ مِنْ نَارٍ؟» فَأَلْقَتْهُمَا. رَوَاهُ الثَّلَاثَةُ، وَإِسْنَادُهُ قَوِيٌّ، وَصَحَّحَهُ الحَاكِمُ مِنْ حَدِيثِ عَائِشَةَ.

500. Narrated Umm Salama ﷺ that she was wearing gold bangles[2] and she said, "O Messenger of Allāh! Is this a treasure?" He replied, "It is not a treasure if you pay the *Zakāt* due on it." [Reported by Abū Dā'ud and Ad-Dāraqutni Al-Hākim graded it *Sahih* (authentic)].

(٥٠٠) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّهَا كَانَتْ تَلْبَسُ أَوْضَاحاً مِنْ ذَهَبٍ، فَقَالَتْ: يَا رَسُولَ اللهِ! أَكَنْزٌ هُوَ؟ فَقَالَ: «إِذَا أَدَّيْتِ زَكَاتَهُ فَلَيْسَ بِكَنْزٍ». رَوَاهُ أَبُو دَاوُدَ وَالدَّارَقُطْنِيُّ، وَصَحَّحَهُ الحَاكِمُ.

501. Narrated Samura bin Jundub ﷺ: Allāh's Messenger ﷺ used to order us to pay the *Sadaqa* from what we have set aside for trade.[3] [Abū Dā'ud reported it and its chain is weak].

(٥٠١) وَعَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَأْمُرُنَا أَنْ نُخْرِجَ الصَّدَقَةَ مِنَ الَّذِي نَعُدُّهُ لِلْبَيْعِ. رَوَاهُ أَبُو دَاوُدَ، وَإِسْنَادُهُ لَيِّنٌ.

502. Narrated Abū Huraira ﷺ: Allāh's

(٥٠٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ،

[1] Whether or not *Zakāt* is payable on gold jewelry is a disputed matter, but the preponderant view is that the same is obligatory, and this *Hadīth* is an affirmative evidence regarding it.

[2] *Awdah* أوضاح is plural of *Wadh*. وضح This was a kind of jewelry that was originally manufactured out of silver. Owing to its glitteringly white appearance, it was called *Awdāh*. Later the same was also being manufactured out of gold. This *Hadīth* is also an evidence that gold and silver jewelry are subjected to the payment of *Zakāt*. There are other types of jewelry, excluding the ones made of gold and silver, which are not liable to be subjected to a *Zakāt* payment. These are the jewelry made of pearls, emerald, sapphire, ruby, coral and other precious jewels.

[3] It thus becomes known to us that all commercial merchandise is subject to the obligation of *Zakāt* payment.

أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «وَفِي الرِّكَازِ الخُمُسُ». مُتَّفَقٌ عَلَيْهِ.

Messenger ﷺ said, "A fifth is payable on buried treasure."[1] [Agreed upon].

(٥٠٣) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ أَنَّ رَسُولَ اللهِ ﷺ قَالَ فِي كَنْزٍ وَجَدَهُ رَجُلٌ فِي خَرِبَةٍ: «إِنْ وَجَدْتَهُ فِي قَرْيَةٍ مَسْكُونَةٍ فَعَرِّفْهُ، وَإِنْ وَجَدْتَهُ فِي قَرْيَةٍ غَيْرِ مَسْكُونَةٍ فَفِيهِ وَفِي الرِّكَازِ الخُمُسُ». أَخْرَجَهُ ابْنُ مَاجه بِإِسْنَادٍ حَسَنٍ.

503. Narrated 'Amr bin Shu'aib on his father's authority from his grand father (ﷺ): Allāh's Messenger ﷺ said, regarding a treasure which was found by a man at the site of ruins – "If you find it in an inhabited village you must make the matter known; but if you find it in an uninhabited village, a fifth is payable on it and on buried treasure." [Ibn Mājah reported it through a *Hasan* (good) chain of narrators].

(٥٠٤) وَعَنْ بِلَالِ بْنِ الحَارِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ أَخَذَ مِنَ المَعَادِنِ القَبَلِيَّةِ الصَّدَقَةَ. رَوَاهُ أَبُو دَاوُدَ.

504. Narrated Bilāl bin Al-Harith[2] ﷺ: Allah's Messenger ﷺ received the *Sadaqa* on the mines of Al-Qabaliya.[3] [Reported by Abū Dā'ud].

Chapter 1
SADAQAT-UL-FITR

١ - بَابُ صَدَقَةِ الفِطْرِ

(٥٠٥) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: فَرَضَ رَسُولُ اللهِ ﷺ زَكَاةَ الفِطْرِ صَاعاً مِنْ تَمْرٍ، أَوْ صَاعاً مِنْ شَعِيرٍ، عَلَى العَبْدِ وَالحُرِّ وَالذَّكَرِ وَالأُنْثَى وَالصَّغِيرِ وَالكَبِيرِ، مِنَ المُسْلِمِينَ، وَأَمَرَ بِهَا أَن تُؤَدَّى قَبْلَ خُرُوجِ النَّاسِ إِلَى الصَّلَاةِ. مُتَّفَقٌ عَلَيْهِ.

505. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ made compulsory – as the *Zakātul-Fitr* – upon a slave, a freeman, a male and a female, the young and the old among the Muslims [on breaking the fast of Ramadān] a *Sā'* (about 21/2 kilograms) of dried dates, or a *Sā'* of barley. He ordered that this should be distributed before the people went out to the (*'Eidul-Fitr*) prayer. [Agreed upon].

وَلِابْنِ عَدِيٍّ وَالدَّارَقُطْنِيِّ بِإِسْنَادٍ ضَعِيفٍ:

Ibn 'Adi and Ad-Dāraqutni reported [from Ibn 'Umar] through a weak chain

[1] Any wealth excavated from earth is *Rikāz* ركاز (a hidden treasure) provided the same belongs to an era of non-Muslims. It is a must to pay one-fifth of its contents to the Islamic treasury. It does not involve the condition that the deposit be made after the lapse of one year period.

[2] He is nicknamed Abū 'Abdur-Rahmān and was among the first delegation to visit the Prophet ﷺ at Al-Madīnah from the tribe of Muzaina in 5 H. He held Muzaina's flag during the conquest of Makkah. He lived at the outskirts of Al-Madīnah then moved to Basra. He died in 60 H. at the age of 80 years.

[3] *Qabaliya* is the name of a place located on the seacoast at a distance of about five-days journey by camel riding from Al-Madīnah.

of narrators: "Relieve them (the poor) of the need to go around (begging) during this day (of *'Eidul-Fitr*.) [by distributing the *Zakātul-Fitr* on time]."

أَغْنُوهُمْ عَنِ الطَّوَافِ فِي هٰذَا الْيَوْمِ.

506. Narrated Abū Sa'īd Al-Khudri ؓ: At the time of Allāh's Messenger ﷺ we used to give out (as the *Zakātul-Fitr*) a *Sā'* of grain,[1] or of dried dates, or of barley, or of raisins. [Agreed upon]. In another narration: "a *Sā'* of sun baked yogurt." Abū Sa'īd said, "As for me, I am still distributing it (a *Sa'* in *Sadaqa*) as I used to distribute it (a *Sā'*) in the lifetime of Allāh's Messenger ﷺ." Abū Dā'ud has: "I will never give out (as *Sadaqa*) anything except a *Sā'*."

(٥٠٦) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا نُعْطِيهَا فِي زَمَنِ النَّبِيِّ ﷺ صَاعاً مِنْ طَعَامٍ، أَوْ صَاعاً مِنْ تَمْرٍ، أَوْ صَاعاً مِنْ شَعِيرٍ، أَوْ صَاعاً مِنْ زَبِيبٍ. مُتَّفَقٌ عَلَيْهِ. وَفِي رِوَايَةٍ: «أَوْ صَاعاً مِنْ أَقِطٍ». قَالَ أَبُو سَعِيدٍ: أَمَّا أَنَا فَلَا أَزَالُ أُخْرِجُهُ، كَمَا كُنْتُ أُخْرِجُهُ فِي زَمَنِ رَسُولِ اللهِ ﷺ. وَلِأَبِي دَاوُدَ: «لَا أُخْرِجُ أَبَداً إِلَّا صَاعاً».

507. Narrated Ibn 'Abbās ؓ: Allāh's Messenger ﷺ prescribed *Zakātul-Fitr* as a purification of the fasting person from senseless and obscene talk, and as food for the poor. Whoever fulfills it before the (*'Eid*) prayer, it will be an acceptable *Zakāt*, and whoever fulfills it after the prayer,[2] it will be counted as a *Sadaqa* (voluntary alms). [Abū Dā'ud and Ibn Mājah reported it, and Al-Hākim graded it *Sahih* (authentic)].

(٥٠٧) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: فَرَضَ رَسُولُ اللهِ ﷺ زَكَاةَ الْفِطْرِ طُهْرَةً لِلصَّائِمِ مِنَ اللَّغْوِ وَالرَّفَثِ، وَطُعْمَةً لِلْمَسَاكِينِ، فَمَنْ أَدَّاهَا قَبْلَ الصَّلَاةِ فَهِيَ زَكَاةٌ مَقْبُولَةٌ، وَمَنْ أَدَّاهَا بَعْدَ الصَّلَاةِ فَهِيَ صَدَقَةٌ مِنَ الصَّدَقَاتِ. رَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ، وَصَحَّحَهُ الْحَاكِمُ.

Chapter 2
VOLUNTARY ALMS

٢ - بَابُ صَدَقَةِ التَّطَوُّعِ

508. Narrated Abū Huraira ؓ: The Prophet ﷺ said, "There are seven whom Allāh will cover with His shade on a day when there will be no shade but His shade (and he mentioned among them)

(٥٠٨) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «سَبْعَةٌ يُظِلُّهُمُ اللَّهُ فِي ظِلِّهِ يَوْمَ لَا ظِلَّ إِلَّا ظِلُّهُ» - فَذَكَرَ الْحَدِيثَ - وَفِيهِ: «وَرَجُلٌ تَصَدَّقَ بِصَدَقَةٍ فَأَخْفَاهَا، حَتَّى لَا تَعْلَمَ

[1] The Arabic word *Ta'ām* طعام is applicable to all kind of grain. It may be used for wheat, barley and even dates. In general, it can be used for any agricultural produce.

[2] This implies that if someone pays *Sadaqatul-Fitr* (fast breaking charity) after the prayer, it does not absolve him from the obligation, nor does he get the reward associated with such a payment. However, his act shall not go in vain as he will get the reward of an ordinary act of charity. It is better to give one *Sa'* (2.6 kilogram) as *Sadaqatul-Fitr*, since the narration reporting it to be a half *Sa'* is incorrect.

– a man[1] who gives charity so secretly that his left hand does not know what his right hand has spent." [Agreed upon].

شِمَالُهُ مَا تُنْفِقُ يَمِينُهُ». مُتَّفَقٌ عَلَيْهِ.

509. Narrated 'Uqba bin 'Aamir ﷺ: I heard Allāh's Messenger ﷺ say, "Everyone will be under the shade[2] of his *Sadaqa* till the judgement between the people is finished." [Reported by Ibn Hibbān and Al-Hākim].

(٥٠٩) وَعَنْ عُقْبَةَ بْنِ عَامِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «كُلُّ امْرِئٍ فِي ظِلِّ صَدَقَتِهِ حَتَّى يُفْصَلَ بَيْنَ النَّاسِ». رَوَاهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

510. Narrated Abū Sa'īd Al-Khudri ﷺ: The Prophet ﷺ said: If any Muslim clothes a Muslim when he is naked, Allāh will clothe him with some of the green garments of Paradise; if any Muslim feeds a Muslim when he is hungry, Allāh will feed him with the fruits of Paradise; and if any Muslim gives a Muslim a drink when he is thirsty, Allāh will give him a drink from the sealed nectar." [Abū Dā'ud reported; in its chain of narrators there is weakness].

(٥١٠) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «أَيُّمَا مُسْلِمٍ كَسَا مُسْلِماً ثَوْباً عَلَى عُرْيٍ كَسَاهُ اللَّهُ مِنْ خُضْرِ الجَنَّةِ، وَأَيُّمَا مُسْلِمٍ أَطْعَمَ مُسْلِماً عَلَى جُوعٍ أَطْعَمَهُ اللَّهُ مِنْ ثِمَارِ الجَنَّةِ، وَأَيُّمَا مُسْلِمٍ سَقَى مُسْلِماً عَلَى ظَمَإٍ سَقَاهُ اللَّهُ مِنَ الرَّحِيقِ المَخْتُومِ». رَوَاهُ أَبُو دَاوُدَ، وَفِي إِسْنَادِهِ لِينٌ.

511. Narrated Hakim bin Hizām ﷺ: The Prophet ﷺ said, "The upper hand is better than the lower hand; and start giving charity first to your dependents.[3] And the best (object of) charity is that which is given by a wealthy person; and whoever abstains from asking others (for charity), Allāh will help him to be self-sufficient; and whosoever is satisfied with what Allāh has given him, Allāh will make him content (with what he has)." [Agreed

(٥١١) وَعَنْ حَكِيمِ بْنِ حِزَامٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «اليَدُ العُلْيَا خَيْرٌ مِنَ اليَدِ السُّفْلَى، وَابْدَأْ بِمَنْ تَعُولُ، وَخَيْرُ الصَّدَقَةِ مَا كَانَ عَنْ ظَهْرِ غِنًى، وَمَنْ يَسْتَعْفِفْ يُعِفَّهُ اللَّهُ، وَمَنْ يَسْتَغْنِ يُغْنِهِ اللَّهُ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

[1] In this *Hadīth*, the mention of males is incidental and includes both sexes. If a woman gives away the charity, she will get the same reward too.

[2] "The shade" implies that the charity given away by a person in this world shall turn into a canopy for him and save him from the scorching heat on the Day of Judgement. One of the benefits of voluntary charity is that it makes up for any shortcoming in the obligatory *Zakāt*.

[3] It is forbidden to give charity to others while ones family members are in a dire need of money. According to Muslim, it is reported by Thaubān that the better part of money is that which is either spent on one's family members, or spent on a horse used for *Jihād* (Fighting for the Cause of Allah), or the one spent on friends.

upon, and the wording is Al-Bukhāri's].

512. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ was asked, "What kind of *Sadaqa* is the most preferable?" He replied, "What a man with little property can afford to give, and begin with your dependents." [Reported by Ahmad and Abū Dā'ud. Ibn Khuzaima and Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

(٥١٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قِيلَ: يَا رَسُولَ اللهِ! أَيُّ الصَّدَقَةِ أَفْضَلُ؟ قَالَ: جُهْدُ المُقِلِّ، وَابْدَأْ بِمَنْ تَعُولُ. أَخْرَجَهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ وَالحَاكِمُ.

513. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said, "Spend *Sadaqa* (charity)." Then a man said, "O Messenger of Allah! I have a Dinār (gold coin)." He said, "Spend it on yourself." He said, "I have another one." He said, "Spend it on your children." He said, "I have another one." He said, "Spend it on your wife." He said, "I have another one." He said, "Spend it on your servant." He said, "I have another one." He said, "You know best (what to do with it)." [Reported by Abū Dā'ud and An-Nasā'i. Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

(٥١٣) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «تَصَدَّقُوا»، فَقَالَ رَجُلٌ: يَا رَسُولَ اللهِ! عِنْدِي دِينَارٌ، قَالَ: «تَصَدَّقْ بِهِ عَلَى نَفْسِكَ»، قَالَ: عِنْدِي آخَرُ، قَالَ: «تَصَدَّقْ بِهِ على وَلَدِكَ»، قَالَ: عِنْدِي آخَرُ، قَالَ: «تَصَدَّقْ بِهِ عَلَى زَوْجَتِكَ»، قَالَ: عِنْدِي آخَرُ، قَالَ: «تَصَدَّقْ بِهِ عَلَى خَادِمِكَ»، قَالَ: عِنْدِي آخَرُ، قَالَ: «أَنْتَ أَبْصَرُ بِهِ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

514. Narrated 'Aisha ﷺ: The Prophet ﷺ said: "If a woman gives (for charity) some of the food in her house, without being wasteful,[1] she will have her reward for what she has given out, her husband will have his for what he has earned and the storekeeper will get the same. Yet nobody's reward[2] will be reduced due to the other." [Agreed upon].

(٥١٤) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ النَّبِيُّ ﷺ: «إِذَا أَنْفَقَتِ المَرْأَةُ مِنْ طَعَامِ بَيْتِهَا، غَيْرَ مُفْسِدَةٍ، كَانَ لَهَا أَجْرُهَا بِمَا أَنْفَقَتْ، وَلِزَوْجِهَا أَجْرُهُ بِمَا اكْتَسَبَ، وَلِلْخَازِنِ مِثْلُ ذَلِكَ، لَا يَنْقُصُ بَعْضُهُمْ مِنْ أَجْرِ بَعْضٍ شَيْئاً». مُتَّفَقٌ عَلَيْهِ.

515. Narrated Abū Sa'īd Al-Khudri ﷺ:

(٥١٥) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ

[1] It means that so long as the housewife does not nurse an ulterior motive of bringing harm and destruction to her husband's house, she may offer charity as is usually given away according to the prevalent customs. She may give away either bread or flour to a beggar. In case an increased amount of charity is required, then she must obtain permission from her husband.

[2] It means that Allāh the Most Exalted will give full reward to everybody by His kindness. It is not that He divides a single reward and distributes the same among all. This clarifies that one should assist everybody in his act of performing a good deed so that he may also be rewarded.

Zainab,[1] the wife of Ibn Mas'ūd (ﷺ) came and said, "O Allāh's Messenger, today you have commanded that *Sadaqa* be given out. And I had some jewelry of mine, so I wanted to give it as *Sadaqa*. However, Ibn Mas'ūd claimed that he and his children have more right for my *Sadaqa* to be spent on them." The Prophet ﷺ said, "Ibn Mas'ūd told the truth; your husband and children have more right to be the beneficiaries of your *Sadaqa*."[2] [Reported by Al-Bukhāri].

تَعَالَى عَنْهُ قَالَ: جَاءَتْ زَيْنَبُ امْرَأَةُ ابْنِ مَسْعُودٍ، فَقَالَتْ: يَا رَسُولَ اللهِ! إِنَّكَ أَمَرْتَ الْيَوْمَ بِالصَّدَقَةِ، وَكَانَ عِنْدِي حُلِيٌّ لِي، فَأَرَدْتُ أَنْ أَتَصَدَّقَ بِهِ، فَزَعَمَ ابْنُ مَسْعُودٍ أَنَّهُ وَوَلَدَهُ أَحَقُّ مَنْ تَصَدَّقْتُ بِهِ عَلَيْهِمْ، فَقَالَ النَّبِيُّ ﷺ: «صَدَقَ ابْنُ مَسْعُودٍ، زَوْجُكِ وَوَلَدُكِ أَحَقُّ مَنْ تَصَدَّقْتِ بِهِ عَلَيْهِمْ». رَوَاهُ الْبُخَارِيُّ.

516. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said: "A person will continue asking people (for charity) until he comes on the Day of Resurrection without even a piece of flesh on his face." [Agreed upon].

(٥١٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَزَالُ الرَّجُلُ يَسْأَلُ النَّاسَ، حَتَّى يَأْتِيَ يَوْمَ الْقِيَامَةِ، وَلَيْسَ فِي وَجْهِهِ مُزْعَةُ لَحْمٍ». مُتَّفَقٌ عَلَيْهِ.

517. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said: "He who begs for the property of others – to increase his own – is (in fact) asking for burning charcoals. So, let him ask for little or much."[3] [Reported by Muslim].

(٥١٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ يَسْأَلُ النَّاسَ أَمْوَالَهُمْ تَكَثُّراً، فَإِنَّمَا يَسْأَلُ جَمْراً، فَلْيَسْتَقِلَّ أَوْ لِيَسْتَكْثِرْ». رَوَاهُ مُسْلِمٌ.

518. Narrated Zubair bin Al-'Awwām ﷺ: The Prophet ﷺ said, "It is better for one of you to take his rope, bring a load of firewood on his back and sell it, thereby preserving his self-respect, than to beg people whether they give him or

(٥١٨) وَعَنِ الزُّبَيْرِ بْنِ الْعَوَّامِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: لَأَنْ يَأْخُذَ أَحَدُكُمْ حَبْلَهُ، فَيَأْتِيَ بِحُزْمَةِ الْحَطَبِ عَلَى ظَهْرِهِ، فَيَبِيعَهَا، فَيَكُفَّ بِهَا وَجْهَهُ، خَيْرٌ لَهُ مِنْ

[1] She was from Banu Thaqif and her father was called Mu'āwiya, or 'Abdullāh bin Mu'āwiya or Abū Mu'āwiya. She narrated from the Prophet ﷺ, her husband and 'Umar bin Al-Khattāb. Her son, her nephew and others narrated from her.

[2] The word *Sadaqa* (charity) is applicable on all, whether it is a voluntary act of charity, or the obligatory payment of *Zakāt* or the *Sadaqatul-Fitr*. The glorious Qur'ān has used the word *Sadaqa* only while elaborating on the matters concerning the disbursement and distribution of *Zakāt* funds. In case the voluntary charity is not considerable, it generally denotes and signifies the obligatory act of charity (*Zakāt*). Here it seems to be the obligatory payment of charity, as one does not have to ask anybody's permission concerning a voluntary charity payment. Majority of the scholars subscribe to the view that a woman can give the *Zakāt* to her husband. Similarly, there is an agreement of opinion among scholars to the effect that a man *cannot* give a *Zakāt* payment to his wife.

[3] If a non-deserving person gathers money by begging, he will incur ignominy and disgrace on the Day of Judgement and will have to face an infernal torment. There are three categories of people who deserve the *Zakāt* money:

refuse him." [Reported by Al-Bukhāri].

أَنْ يَسْأَلَ النَّاسَ، أَعْطَوْهُ أَوْ مَنَعُوهُ. رَوَاهُ الْبُخَارِيُّ.

519. Narrated Samura bin Jundub ﷺ: Allah's Messenger ﷺ said: "Acts of begging are scratches with which a man disfigures his face, unless one begs a ruler,[1] or a situation in which begging is a must." [Reported by At-Tirmidhi, who graded it *Sahih* (authentic)].

(٥١٩) وَعَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «المَسْأَلَةُ كَدٌّ يَكُدُّ بِهَا الرَّجُلُ وَجْهَهُ، إِلَّا أَنْ يَسْأَلَ الرَّجُلُ سُلْطَانًا أَوْ فِي أَمْرٍ لَا بُدَّ مِنْهُ». رَوَاهُ التِّرْمِذِيُّ، وَصَحَّحَهُ.

Chapter 3
THE DIVISION OF *SADAQAT*

٣ - بَابُ قِسْمِ الصَّدَقَاتِ

520. Narrated Abū Sa'īd Al-Khudri ﷺ: Allāh's Messenger ﷺ said, "*Sadaqa* cannot lawfully be given to a wealthy person except of the five categories: one who collects it, or a man who buys it with his money, or one in debt, or one who fights in Allāh's Cause, or a poor man who after getting a *Sadaqa* gives part of it to a rich man as a gift."[2] [Reported by Ahmad, Abū

(٥٢٠) عَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَحِلُّ الصَّدَقَةُ لِغَنِيٍّ إِلَّا لِخَمْسَةٍ: لِعَامِلٍ عَلَيْهَا، أَوْ رَجُلٍ اشْتَرَاهَا بِمَالِهِ، أَوْ غَارِمٍ، أَوْ غَازٍ فِي سَبِيلِ اللهِ، أَوْ مِسْكِينٍ تُصُدِّقَ عَلَيْهِ مِنْهَا فَأَهْدَى مِنْهَا لِغَنِيٍّ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَابْنُ مَاجَهْ، وَصَحَّحَهُ الحَاكِمُ، وَأُعِلَّ بِالإِرْسَالِ.

---

a) The one whose wealth gets utterly destroyed by a sudden and unexpected calamity to such an extent that he has nothing to eat. Such a person may ask for *Zakāt* to make ends meet.

b) The one who has been unjustifiably penalized or has been unfairly involved into signing a bond of guarantee or liability for someone else and is now being subjugated to making a payment for the same even though he does not have enough financial resources to pay for it. Such a person is eligible to *Zakāt* so that he may be solvent enough to pay off his liability.

c) The one who works, or intends to work sincerely and in the earnest but does not find work, or has less income than his required minimum expenditure and thus forced to face starvation.

[1] It becomes known to us that approaching a ruler and asking him for financial aid is permissible. A ruler is permitted either to give someone charity out of *Zakāt* payment or from *Khumus* خمس (one-fifth of the wealth realized out of the spoils of war and allocated to be deposited in the government treasury). In case the asking person is really poor, he can take out of *Zakāt* payment. In case he is rich, he should not take money out of *Zakāt*, but he may take it from the funds belonging to *Khumus* (specific funds from the government treasury).

[2] It is forbidden for a wealthy person to take any money out of *Zakāt*, but if a poor person receives a *Zakāt* money, purchases something out of this money and presents the same to

Dā'ud and Ibn Mājah. Al-Hākim graded it *Sahih* (authentic), while it has been declared *Mursal* (missing link after the *Tābi'i*) by others].

521. Narrated 'Ubaidullāh bin 'Adi bin Al-Khiyār[1] (ﷺ): Two men informed him that they went to Allāh's Messenger ﷺ asking for *Sadaqa*. He then looked at them up and down, and seeing that they were strong, said, "If you wish I will give you something, but there is no share in it for a rich man or for one who is strong and able to earn a living."[2] [Reported by Ahmad. Abū Dā'ud and An-Nasā'i considered its chain of narrators to be strong].

(٥٢١) وَعَنْ عُبَيْدِ اللهِ بْنِ عَدِيٍّ بْنِ الخِيَارِ، أَنَّ رَجُلَيْنِ حَدَّثَاهُ: أَنَّهُمَا أَتَيَا رَسُولَ اللهِ ﷺ يَسْأَلانِهِ مِنَ الصَّدَقَةِ، فَقَلَّبَ فِيهِمَا البَصَرَ، فَرَآهُمَا جَلْدَيْنِ، فَقَالَ: إِنْ شِئْتُمَا أَعْطَيْتُكُمَا، وَلَا حَظَّ فِيهَا لِغَنِيٍّ، وَلَا لِقَوِيٍّ مُكْتَسِبٍ. رَوَاهُ أَحْمَدُ، وَقَوَّاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ.

522. Narrated Qabisa bin Mukhāriq Al-Hilāli[3] ﷺ: Allāh's Messenger ﷺ said, "Begging is not allowed except for one of three people: A man who has become a guarantor for a payment, due to which he is allowed to beg till he gets it, after which he must stop begging; a man whose property has been destroyed by a calamity which has befallen him, to him begging is allowed till he gets what will provide him a reasonable sustenance; and a man who has been stricken by poverty, the genuineness of which is confirmed by three intelligent members of his people, to him begging is allowed till he gets what will provide him a

(٥٢٢) وَعَنْ قَبِيصَةَ بْنِ مُخَارِقٍ الهِلَالِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ المَسْأَلَةَ لَا تَحِلُّ إِلَّا لِأَحَدِ ثَلَاثَةٍ: رَجُلٍ تَحَمَّلَ حَمَالَةً، فَحَلَّتْ لَهُ المَسْأَلَةُ حَتَّى يُصِيبَهَا، ثُمَّ يُمْسِكُ، وَرَجُلٍ أَصَابَتْهُ جَائِحَةٌ اجْتَاحَتْ مَالَهُ، فَحَلَّتْ لَهُ المَسْأَلَةُ حَتَّى يُصِيبَ قِوَاماً مِنْ عَيْشٍ، وَرَجُلٍ أَصَابَتْهُ فَاقَةٌ، حَتَّى يَقُولَ ثَلَاثَةٌ مِنْ ذَوِي الحِجَى مِنْ قَوْمِهِ: لَقَدْ أَصَابَتْ فُلَاناً فَاقَةٌ، فَحَلَّتْ لَهُ المَسْأَلَةُ حَتَّى يُصِيبَ قِوَاماً مِنْ عَيْشٍ، فَمَا سِوَاهُنَّ مِنَ المَسْأَلَةِ يَا قَبِيصَةُ سُحْتٌ، يَأْكُلُهُ صَاحِبُهُ سُحْتاً». رَوَاهُ مُسْلِمٌ وَأَبُو

---

the rich person, the same becomes permissible for him.

[1] He was a Qurashi from Banu Naufal. He was born during the life of Allāh's Messenger ﷺ, but is counted among the *Tābi'in*. He narrated *Ahadīth* from 'Umar, 'Uthmān and others. It is said that his father was killed at Badr as a *Kafir*. 'Ubaidullāh is said to have been a grown up child at the time of the conquest of Makkah, and was therefore a *Sahābi*. He was among the *Fiqh* scholars and learned Quraishis. He died towards the end of the caliphate of Al-Walid bin 'Abdul Mālik in 90 H.

[2] Some people infer from this *Hadīth* that a person, who is capable of earning, even though poor, must not accept charity, which is incorrect. Another *Hadīth* clarifies that a person who is on the brink of starving may ask for charity.

[3] Abū Bishr Qabisa bin Al-Mukhāriq bin 'Abdullāh bin Shaddād Al-'Aamiri Al-Hilāli was a *Sahābi* who settled at Basra. He visited the Prophet ﷺ and narrated *Ahadīth* from him. He is a narrator of six *Ahadith*.

reasonable sustenance. Any begging besides these, O Qabisa is ill-gotten wealth, and one who engages in such, consumes it as a thing which is unlawful." [Reported by Muslim, Abū Dā'ud, Ibn Khuzaima and Ibn Hibbān].

523. Narrated 'Abdul-Muttalib bin Rab'a bin Al-Hārith[1] ﷺ: Allāh's Messenger ﷺ said, "These *Sadaqāt* are only people's impurities, and are not befitting for Muhammad's family."[2] Another narration has: "It is not lawful for Muhammad and Muhammad's family." [Reported by Muslim]

524. Narrated Jubair bin Mut'im ﷺ: 'Uthmān bin 'Affān ﷺ and I went to the Prophet ﷺ and said, "O Allāh's Messenger, You gave from *Al-Khumus* (the fifth) of the war booty of Khaibar to sons of Al-Muttalib and did not give us, although we are (all) of the same rank.[3] Allāh's Messenger ﷺ then said, "Indeed, the sons of Al-Muttalib and the sons of Hāshim are one (and the same)[4] ." [Reported by Al-Bukhāri].

دَاوُدَ وابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ.

(٥٢٣) وَعَنْ عَبْدِ الْمُطَّلِبِ بْنِ رَبِيعَةَ بْنِ الحَارِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ الصَّدَقَةَ لَا تَنْبَغِي لِآلِ مُحَمَّدٍ، إِنَّمَا هِيَ أَوْسَاخُ النَّاسِ». وَفِي رِوَايَةٍ: «وَإِنَّهَا لَا تَحِلُّ لِمُحَمَّدٍ وَلَا لِآلِ مُحَمَّدٍ». رَوَاهُ مُسْلِمٌ.

(٥٢٤) وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: مَشَيْتُ أَنَا وَعُثْمَانُ بْنُ عَفَّانَ إِلَى النَّبِيِّ ﷺ، فَقُلْنَا: يَا رَسُولَ اللهِ! أَعْطَيْتَ بَنِي الْمُطَّلِبِ مِنْ خُمُسِ خَيْبَرَ وَتَرَكْتَنَا، وَنَحْنُ وَهُمْ بِمَنْزِلَةٍ وَاحِدَةٍ، فَقَالَ رَسُولُ اللهِ ﷺ: «إِنَّمَا بَنُو الْمُطَّلِبِ وَبَنُو هَاشِمٍ شَيْءٌ وَاحِدٌ». رَوَاهُ الْبُخَارِيُّ.

[1] Great grandson of 'Abdul-Muttalib bin Hāshim Al-Qurashi. He settled at Al-Madīnah then moved to Damascus where he died in 62 H.

[2] It is forbidden on any of the descendants of Muhammad ﷺ to accept *Zakāt* payments, a ruling that is agreed upon. However, there is a difference of opinion among scholars regarding the status of voluntary charity. These are not the only descendants of Muhammad ﷺ who are forbidden to accept a *Zakāt* payment, but they also include the descendants of 'Ali, 'Abbās, Ja'far, 'Aqeel, 'Abdul-Muttalib bin Abd Munaf – which means that they are all included in the family of the Prophet ﷺ .

[3] The statement of Jubair bin Muti'm and Uthmān رضي الله عنهما that they and Bani Muttalib (progeny of Muttalib) are equals has two meanings. The first one is that they gave allegiance to the Prophet ﷺ , exactly in the same manner as done by the progeny of Muttalib. The second purported meaning is that Banu Muttalib does not exceed them in the matter of eligibility in terms of the bonds of affinity or relationship to the Prophet ﷺ . 'Uthmān رضي الله عنه in addition to being bestowed with the honour of being a son-in-law to the Prophet ﷺ, also belonged to Banu Umaiya. Banu Umaiya and Banu Hashim were considered to be tribe who were equal to each other in terms of status within the descendants of Quraish.

[4] The Prophet ﷺ stated: "There is no denying the fact that in terms of rank and lineage, Banu Hashim and Banu Umaiya are on an equal footing, but Banu Muttalib sided with Islam during adverse circumstances, whereas Banu Naufal and Banu Abdush-Shams stood against it. From this point of view, Banu Hashim and Banu Muttalib are the same, and when the time came, they were given out of *Khumus* money, whereas, you were given nothing out of it."

525. Narrated Abū Rāfi'[1] ﷺ: The Prophet ﷺ sent a man of the Banu Makhzum to collect *Sadaqa* and he asked Abū Rāfi' to accompany him so that he might get some of it. Abū Rāfi' replied, "No, till I go to the Prophet ﷺ and ask him." He then went to him and asked him and he said, "It (the *Sadaqa*) is not lawful for us [family of Muhammad], and the slave[2] of a people is (considered) one of them." [Reported by ***Ath-Thalatha***, Ahmad, Ibn Khuzaima and Ibn Habbān].

(٥٢٥) وَعَنْ أَبِي رَافِعٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ بَعَثَ رَجُلاً عَلَى الصَّدَقَةِ مِنْ بَنِي مَخْزُومٍ، فَقَالَ لِأَبِي رَافِعٍ: اصْحَبْنِي، فَإِنَّكَ تُصِيبُ مِنْهَا، فَقَالَ: لَا، حَتَّى آتِيَ النَّبِيَّ ﷺ فَأَسْأَلَهُ، فَأَتَاهُ فَسَأَلَهُ، فَقَالَ: «مَوْلَى الْقَوْمِ مِنْ أَنْفُسِهِمْ، وَإِنَّهَا لَا تَحِلُّ لَنَا الصَّدَقَةُ». رَوَاهُ أَحْمَدُ وَالثَّلَاثَةُ وَابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ.

526. Narrated Sālim bin 'Abdullah bin 'Umar on the authority of his father that Allāh's Messenger ﷺ would offer a gift to 'Umar. And 'Umar would say: "Give it to one who is poorer than me." Upon this Allāh's Messenger ﷺ said, "Take it, keep it with your property or give it as charity. Take what comes to you from this wealth when you are neither seeking it nor begging, but in other circumstances do not make your heart subordinate to it." [Reported by Muslim].

(٥٢٦) وَعَنْ سَالِمِ بْنِ عَبْدِ اللهِ بْنِ عُمَرَ، عَنْ أَبِيهِ، أَنَّ رَسُولَ اللهِ ﷺ كَانَ يُعْطِي عُمَرَ الْعَطَاءَ، فَيَقُولُ: أَعْطِهِ أَفْقَرَ مِنِّي، فَيَقُولُ: خُذْهُ، فَتَمَوَّلْهُ، أَوْ تَصَدَّقْ بِهِ، وَمَا جَاءَكَ مِنْ هٰذَا الْمَالِ، وَأَنْتَ غَيْرُ مُشْرِفٍ وَلَا سَائِلٍ، فَخُذْهُ، وَمَا لَا فَلَا تُتْبِعْهُ نَفْسَكَ. رَوَاهُ مُسْلِمٌ.

[1] He was a slave of Allāh's Messenger ﷺ and his name is Aslam or Hurmuz or Thābit or Ibrāhim. He was an Egyptian Copt and was owned by Al-'Abbās who gifted him to the Prophet ﷺ. He became a Muslim before Badr and did not witness it. He witnessed Uhud and the battles that followed. When Al-'Abbās became a Muslim, Abū Rafi' gave the good news to the Prophet ﷺ who freed him. He died at the beginning of Ali's Caliphate in 36 H. at Al-Madīnah.

[2] A person who is forbidden from partaking of *Zakāt*, the same ruling applies on his slave.

5. THE BOOK OF *SIYAM*[1] (FASTING)

٥ - كِتَابُ الصِّيَامِ

527. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Do not fast for a day or two days[2] ahead of Ramadān except a person[3] who is in the habit of observing a particular fast; he may fast on that day." [Agreed upon].

(٥٢٧) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَقَدَّمُوا رَمَضَانَ بِصَوْمِ يَوْمٍ وَلَا يَوْمَيْنِ، إِلَّا رَجُلٌ كَانَ يَصُومُ صَوْماً فَلْيَصُمْهُ». مُتَّفَقٌ عَلَيْهِ.

528. Narrated 'Ammār bin Yāsir ﷺ: He who fasts on a day about which there is doubt (concerning the start of Ramadān)[4] has disobeyed Abul-Qāsim ﷺ [Al-Bukhāri reported it *Mu'allaq* (broken chain from his side), while *Al-Khamsa* reported it *Mawsul* (unbroken chain) and Ibn Hibbān graded it *Sahih* (authentic)].

(٥٢٨) وَعَنْ عَمَّارِ بْنِ يَاسِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: مَنْ صَامَ الْيَوْمَ الَّذِي يُشَكُّ فِيهِ، فَقَدْ عَصَى أَبَا الْقَاسِمِ ﷺ. ذَكَرَهُ الْبُخَارِيُّ تَعْلِيقاً، وَوَصَلَهُ الْخَمْسَةُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ.

529. Narrated Ibn 'Umar ﷺ: I heard Allāh's Messenger ﷺ saying, "Fast when you see the new moon, and break your fast when you see it; but if the sky is cloudy, calculate (the month as 30 days)." [Agreed upon]. Muslim has: "If it is cloudy, calculate (the month as) thirty days." Al-Bukhāri has: "Complete the number (of days) as thirty." Al-Bukhari reported the *Hadith* of Abū Huraira ﷺ : "Complete the number of

(٥٢٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «إِذَا رَأَيْتُمُوهُ فَصُومُوا، وَإِذَا رَأَيْتُمُوهُ فَأَفْطِرُوا، فَإِنْ غُمَّ عَلَيْكُمْ فَاقْدُرُوا لَهُ». مُتَّفَقٌ عَلَيْهِ، وَلِمُسْلِمٍ: «فَإِنْ أُغْمِيَ عَلَيْكُمْ فَاقْدُرُوا لَهُ ثَلَاثِينَ». وَلِلْبُخَارِيِّ: «فَأَكْمِلُوا الْعِدَّةَ ثَلَاثِينَ». وَلَهُ فِي حَدِيثِ أَبِي هُرَيْرَةَ: «فَأَكْمِلُوا عِدَّةَ شَعْبَانَ ثَلَاثِينَ».

[1] The meaning of *Siyām* and *Saum* is to "stop" and "refrain from". According to *Shari'a* terminology, it implies abstinence from eating, drinking and sexual intercourse, etc. starting from dawn till sunset, with a firm intention of carrying out the orders of Allāh. Fasting is one of the five pillars in Islam. One who rejects it, is a disbeliever; and who shuns it, is a disobedient Muslim. Fasting was prescribed as an obligation in the 2nd year of the Hijra calendar.

[2] This *Hadīth* tells us that the observing of fast one day prior to the advent of Ramadān, which is a practice among some ignorant and irreligious people, is forbidden.

[3] In case, someone is in the habit of fasting on a particular day which incidentally happens to fall on the day just prior to the commencement of Ramadān, it is permissible for him to fast on that day.

[4] In case the moon of Ramadān is not sighted on the 29th of Sha'bān due to the sky vision being blurred by dust or clouds, one should complete the 30 days of Sha'bān first and then observe fasting. The observance of fast merely on the basis of suspicion or assumption that the moon of Ramadān might possibly have been sighted on the 29th of Sha'bān itself, is forbidden.

(the month of) Sha'bān as thirty days[1]."

530. Narrated Ibn 'Umar ﷺ: The people tried to sight the new moon, so I informed the Prophet ﷺ that I had seen it, so he fasted and commanded the people to fast.[2] [Abū Dā'ud reported it and Al-Hākim and Ibn Hibbān graded it *Sahih* (authentic)].

(٥٣٠) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: تَرَاءَى النَّاسُ الهِلَالَ، فَأَخْبَرْتُ النَّبِيَّ ﷺ أَنِّي رَأَيْتُهُ، فَصَامَ، وَأَمَرَ النَّاسَ بِصِيَامِهِ. رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ الحَاكِمُ وَابْنُ حِبَّانَ.

531. Narrated Ibn 'Abbās ﷺ: A bedouin came to the Prophet ﷺ and said, "I have seen the new moon (of Ramadān)." He asked, "Do you testify that nothing is worthy of worship except Allāh?" He replied, "Yes." He then asked, "Do you testify that Muhammad is Allāh's Messenger?" He replied, "Yes." He then said, "Bilāl, announce to the people that they should fast tomorrow." [Reported by *Al-Khamsa*. Ibn Khuzaima and Ibn Hibbān graded it *Sahih* (authentic); An-Nasā'i held that the stronger view is that it is *Mursal* (missing link after the *Tābi'i*)].

(٥٣١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ أَعْرَابِيًّا جَاءَ إِلَى النَّبِيِّ ﷺ فَقَالَ: إِنِّي رَأَيْتُ الهِلَالَ، فَقَالَ: أَتَشْهَدُ أَن لَّا إِلَٰهَ إِلَّا اللَّهُ؟ قَالَ: نَعَمْ. قَالَ: أَتَشْهَدُ أَنَّ مُحَمَّداً رَسُولُ اللهِ؟ قَالَ: نَعَمْ، قَالَ: فَأَذِّنْ فِي النَّاسِ يَا بِلَالُ أَنْ يَصُومُوا غداً. رَوَاهُ الخَمْسَةُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ، وَرَجَّحَ النَّسَائِيُّ إِرْسَالَهُ.

532. Narrated Hafsa[3] ﷺ, Mother of the Believers: The Prophet ﷺ said, "The fast of one who does not make intention[4] to fast before dawn is not accepted"[5] [Reported by *Al-Khamsa*. At-Tirmidhi and An-Nasa'i are inclined

(٥٣٢) وَعَنْ حَفْصَةَ أُمِّ المُؤْمِنِينَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ لَمْ يُبَيِّتِ الصِّيَامَ قَبْلَ الفَجْرِ فَلَا صِيَامَ لَهُ». رَوَاهُ الخَمْسَةُ، وَمَالَ التِّرْمِذِيُّ وَالنَّسَائِيُّ إِلَى تَرْجِيحِ

[1] This tells us that we should commence and terminate our fasting on the sighting of the moon.

[2] We are thus informed that one witness suffices to herald the commencement of fasting where as to announce the sighting of the *'Eid* crescent, two witnesses are required, according to the majority of the scholars of jurisprudence.

[3] She was the daughter of 'Umar bin Al-Khattāb and was married to Khunais bin Hudhāfa As-Sahmi whom she migrated with to Al-Madīnah. When he died after Badr, Allāh's Messenger ﷺ married her in the year 3 H. She died in Sha'bān, 45 H. at the age of 60 years.

[4] One of the elements of fasting is *Niyah* (intention). Hence one must make an intention of fasting prior to dawn.

[5] One must make an intention of fasting before morning in case he is observing the obligatory (*Fard*) fast. But in case he is observing voluntary (*Nafl*) fasts, it is all right to do the same before noon.

toward the opinion that it is *Mauquf* (a saying of a Companion, i.e. Hafsa). Ibn Khuzaima and Ibn Hibban authenticated it as *Marfu'* (attributed to the Prophet)].

وَقْفِهِ، وَصَحَّحَهُ مَرْفُوعاً ابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ.

Ad-Dāraqutni has: "There is no fast for the one who does not make the intention to fast during the night."

وَلِلدَّارَقُطْنِيِّ: «لَا صِيَامَ لِمَن لَمْ يَفْرِضْهُ مِنَ اللَّيْلِ».

533. Narrated 'Aisha ﵂: The Prophet ﷺ came to visit me one day and asked, "Do you have anything (to eat)?" I said, "No." He said, "Then I am fasting."[1] Then he came to me another day and I said, "I had been given a present of some *Hais*[2] . He said, "Show it to me, for I had began the day fasting." Then he ate.[3] [Reported by Muslim].

(٥٣٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: دَخَلَ عَلَيَّ النَّبِيُّ ﷺ ذَاتَ يَوْمٍ فَقَالَ: «هَلْ عِنْدَكُمْ شَيْءٌ؟» قُلْنَا: لَا، قَالَ: «فَإِنِّي إِذاً صَائِمٌ» ثُمَّ أَتَانَا يَوْماً آخَرَ، فَقُلْنَا: أُهْدِيَ لَنَا حَيْسٌ، فَقَالَ: أَرِينِيهِ فَلَقَدْ أَصْبَحْتُ صَائِماً، فَأَكَلَ. رَوَاهُ مُسْلِمٌ.

534. Narrated Sahl bin Sa'd ﵁: Allah's Messenger ﷺ said, "The people will continue to be on the right path as long as they hasten in the breaking of the fast." [Agreed upon].

(٥٣٤) وَعَنْ سَهْلِ بْنِ سَعْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا يَزَالُ النَّاسُ بِخَيْرٍ مَا عَجَّلُوا الفِطْرَ». مُتَّفَقٌ عَلَيْهِ.

At-Tirmidhi reports from the *Hadith* of Abū Huraira (﵁) from the Prophet ﷺ, who said that Allāh said, "The most beloved to Me of my slaves is the one who hastens most in breaking the fast."[4]

وَلِلتِّرْمِذِيِّ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: قَالَ اللَّهُ عَزَّ وَجَلَّ: «أَحَبُّ عِبَادِي إِلَيَّ، أَعْجَلُهُمْ فِطْراً».

535. Narrated Anas bin Mālik ﵁: Allāh's Messenger ﷺ said, "Take a meal (just) before dawn, for there is a blessing in *Subur* (taking a meal)[5] at that time." [Agreed upon].

(٥٣٥) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «تَسَحَّرُوا، فَإِنَّ فِي السَّحُورِ بَرَكَةً». مُتَّفَقٌ عَلَيْهِ.

[1] This *Hadīth* is an evidence that the intention of a voluntary observance of fasting does not have to be made necessarily before dawn, but the same could be done during daytime also.

[2] A mixture of dates and ghee.

[3] This *Hadīth* states that a voluntary fast may be terminated without an excuse.

[4] As long as one is absolutely sure about the setting of the sun, he must not delay breaking his fast, as a delayed breaking of fast is the practice of Jews and Christians.

[5] The Jews and Christians do not observe partaking of *Subur*. It is reported by Muslim that the eating of *Subur* is the difference between us and the people of the Scriptures. This facilitates fasting and one gets an increased amount of reward.

536. Narrated Salmān bin 'Aamir Ad-Dabbī[1] ﷺ: The Prophet ﷺ said, "When one of you breaks his fast, he should do so with some dates; but if he can not get any, he should break his fast with water,[2] for it is purifying." [Reported by *Al-Khamsa*. Ibn Khuzaima, Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

(٥٣٦) وَعَنْ سَلْمَانَ بْنِ عَامِرٍ الضَّبِّيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «إِذَا أَفْطَرَ أَحَدُكُمْ فَلْيُفْطِرْ عَلَى تَمْرٍ، فَإِنْ لَمْ يَجِدْ فَلْيُفْطِرْ عَلَى مَاءٍ، فَإِنَّهُ طَهُورٌ». رَوَاهُ الخَمْسَةُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ وَالحَاكِمُ.

537. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ forbade continuous fasting.[3] A man from among the Muslims said, "You fast continuously, O Messenger of Allāh!" He replied, "Which one of you is like me? During the night my *Rabb* (Allah) gives me food and drink." When they refused to stop the continuous fasting, he fasted with them for a day and then another. Then, they saw the moon. He then said, "If the new moon had not appeared, I would have made you fast more (in this way)." It is as though it would serve as a punishment for them, when they refused to stop. [Agreed upon].

(٥٣٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنِ الوِصَالِ، فَقَالَ رَجُلٌ مِّنَ المُسْلِمِينَ: فَإِنَّكَ تُوَاصِلُ يَا رَسُولَ اللهِ؟ قَالَ: «وَأَيُّكُمْ مِثْلِي؟ إِنِّي أَبِيتُ يُطْعِمُنِي رَبِّي وَيَسْقِينِي»، فَلَمَّا أَبَوْا أَنْ يَنْتَهُوا عَنِ الوِصَالِ وَاصَلَ بِهِمْ يَوْماً، ثُمَّ يَوْماً، ثُمَّ رَأَوُا الهِلَالَ، فَقَالَ: «لَوْ تَأَخَّرَ الهِلَالُ لَزِدْتُكُمْ»، كَالمُنَكِّلِ لَهُمْ حِينَ أَبَوْا أَن يَنْتَهُوا. مُتَّفَقٌ عَلَيْهِ.

538. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said, "Whoever does not abandon falsehood[4] and action in accordance with it and foolishness, Allāh has no need that he should abandon his food and drink." [Reported by Al-Bukhāri, and Abū Dā'ud and the wording is his].

(٥٣٨) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ لَمْ يَدَعْ قَوْلَ الزُّورِ، وَالعَمَلَ بِهِ، والجَهْلَ، فَلَيْسَ لِلَّهِ حَاجَةٌ فِي أَنْ يَّدَعَ طَعَامَهُ وَشَرَابَهُ». رَوَاهُ البخاريُّ وَأَبُو دَاوُدَ، وَاللَّفْظُ لَهُ.

539. Narrated 'Aisha ﷺ: Allāh's Messenger

(٥٣٩) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا

[1] Ibn Aus bin Hujr bin 'Amr bin Al-Hārith Ad-Dabbi was a *Sahābi* who settled at Basra and was an old man during the lifetime of the Prophet ﷺ. He lived up to the caliphate of Mu'āwiya and it is said that he was killed in the battle of Al-Jamal at the age of 100 years. It is also said that there is no other *Sahābi* from Ad-Dabbi except him.

[2] The best of the things one may break his fast with, are fresh dates, then dry dates, then water.

[3] In Arabic *Wisāl* is a term used with reference to a person who does not break his fast in the evening but goes on observing it continuously on to the second day with no eating or drinking in between. This kind of fasting was only allowed to the Prophet.

[4] The purpose behind fasting is that one should learn to exercise self-control on himself. The whole concept of fasting becomes abortive if one fails to learn the same.

ﷺ used to kiss[1] and fondle while he was fasting, but he was the one among you who had most control[2] over his sexual desire. [Agreed upon]. The wording is Muslim's, and in another narration, he has the addition: "during Ramadān."

قَالَتْ: كَانَ النَّبِيُّ ﷺ يُقَبِّلُ وَهُوَ صَائِمٌ، وَيُبَاشِرُ وَهُوَ صَائِمٌ، وَلٰكِنَّهُ كَانَ أَمْلَكَكُمْ لِإِرْبِهِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ، وَزَادَ فِي رِوَايَةٍ: «فِي رَمَضَانَ».

540. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ had himself cupped when he was wearing the *Ihrām* (during *Hajj* or *'Umrah*) and had himself cupped when he was fasting. [Reported by Al-Bukhari].

(٥٤٠) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللّٰهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ احْتَجَمَ وَهُوَ مُحْرِمٌ، وَاحْتَجَمَ وَهُوَ صَائِمٌ. رَوَاهُ الْبُخَارِيُّ.

541. Narrated Shaddād bin Aus[3] ﷺ: The Prophet ﷺ came across a man in Al-Baqi' who was being cupped in Ramadān. He said, "The one who cups and the one who is cupped have broken their fast."[4] [Reported by *Al-Khamsa* except At-Tirmidhi. Ahmad, Ibn Khuzaima and Ibn Hibbān graded it *Sahih* (authentic)].

(٥٤١) وَعَنْ شَدَّادِ بْنِ أَوْسٍ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ أَتَى عَلَى رَجُلٍ بِالْبَقِيعِ، وَهُوَ يَحْتَجِمُ فِي رَمَضَانَ، فَقَالَ: «أَفْطَرَ الْحَاجِمُ وَالْمَحْجُومُ». رَوَاهُ الْخَمْسَةُ إِلَّا التِّرْمِذِيَّ، وَصَحَّحَهُ أَحْمَدُ وَابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ.

542. Narrated Anas ﷺ: The first time when cupping – for one who is fasting – was disapproved was when: Ja'far bin Abū-Tālib had himself cupped while he was fasting; the Prophet ﷺ came across him and said, "Both of these have broken their fast." Afterwards, the

(٥٤٢) وَعَنْ أَنَسٍ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ قَالَ: أَوَّلُ مَا كُرِهَتِ الْحِجَامَةُ لِلصَّائِمِ، أَنَّ جَعْفَرَ ابْنَ أَبِي طَالِبٍ احْتَجَمَ وَهُوَ صَائِمٌ، فَمَرَّ بِهِ النَّبِيُّ ﷺ فَقَالَ: أَفْطَرَ هٰذَانِ. ثُمَّ رَخَّصَ النَّبِيُّ ﷺ بَعْدُ فِي الْحِجَامَةِ لِلصَّائِمِ، وَكَانَ أَنَسٌ

[1] It is not forbidden to kiss the wife or to embrace her during the state of fasting as the same does not nullify fasting.

[2] 'Aisha ﷺ advises that one should refrain from doing it lest one should make a slip and render his fasting null and void.

[3] He is Abū Ya'la Al-Ansāri An-Najāri Al-Madani, the nephew of Hassān bin Thābit. He was learned and very tolerant. He died in Shām in 58 H. at the age of 75 years.

[4] It is proven by the preceding *Hadīth* that cupping (letting out blood for medical purposes) in the state of fasting is permissible. There seems to be an apparent contradiction here but in fact it is not so. This *Hadīth* narrated by Shaddād bin Aus stands abrogated due to the fact that Shaddād arrived during the year of the conquest of Makkah, whereas 'Abdullāh bin 'Abbās described the same to have transpired during the year of the *Hajjatul-Wada'* (the last pilgrimage performed by the Prophet ﷺ). As to the matter of undesirability, the cupping does not invalidate fasting according to the majority of *'Ulama* but the same is undesirable, and that too is in consideration of the fact that the bleeding may cause weakness, which in turn may force someone into breaking his fast. But in case someone is strong enough to withstand any such weakness or drowsiness resulting from the cupping, then the ruling concerning its undesirability is ineffective.

Prophet ﷺ allowed cupping for one who is fasting. Anas used to have himself cupped when he was fasting. [Ad-Dāraqutni reported it and declared it to be *Qawiy* (strong)].

يَحْتَجِمُ وَهُوَ صَائِمٌ. رَوَاهُ الدَّارَقُطْنِيُّ وَقَوَّاهُ.

543. Narrated 'Aisha ﷺ: The Prophet ﷺ applied kohl[1] in Ramadān while he was fasting. [Reported by Ibn Mājah through a weak chain of narrators]. At-Tirmidhi said, "There is nothing authentic on this subject."

(٥٤٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ اكْتَحَلَ فِي رَمَضَانَ وَهُوَ صَائِمٌ. رَوَاهُ ابْنُ مَاجَهْ بِإِسْنَادٍ ضَعِيفٍ، وَقَالَ التِّرْمِذِيُّ: لَا يَصِحُّ فِيهِ شَيْءٌ.

544. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Whoever forgets while fasting and eats or drinks should complete his fast, for it is Allāh who has fed him and given him drink." [Agreed upon].

(٥٤٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ نَسِيَ وَهُوَ صَائِمٌ، فَأَكَلَ أَوْ شَرِبَ، فَلْيُتِمَّ صَوْمَهُ، فَإِنَّمَا أَطْعَمَهُ اللَّهُ، وَسَقَاهُ». مُتَّفَقٌ عَلَيْهِ.

Al-Hākim has, "Whoever breaks his fast forgetfully does not have to make-up for that fast (*Al-Qadā*), nor expiate (*Al-Kaffāra*) for it."[2] And the narration is authentic.

وَلِلْحَاكِمِ: مَنْ أَفْطَرَ فِي رَمَضَانَ نَاسِياً فَلَا قَضَاءَ عَلَيْهِ وَلَا كَفَّارَةَ. وَهُوَ صَحِيحٌ.

545. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Whoever has a sudden attack of vomiting (while fasting), does not have to make-up the fast (*Al-Qadā*), but whoever vomits intentionally must make up the day."[3] [Reported by *Al-Khamsa*; Ahmad found it defective and Ad-Dāraqutni graded it *Qawi* (strong)].

(٥٤٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ ذَرَعَهُ القَيْءُ فَلَا قَضَاءَ عَلَيْهِ، وَمَنِ اسْتَقَاءَ فَعَلَيْهِ القَضَاءُ». رَوَاهُ الخَمْسَةُ، وَأَعَلَّهُ أَحْمَدُ، وَقَوَّاهُ الدَّارَقُطْنِيُّ.

546. Narrated Jābir bin 'Abdullāh ﷺ: Allāh's Messenger ﷺ departed to Makkah in Ramadān in the year of the conquest. He and the people fasted till he came to Kurā' Al-Ghamim. He then

(٥٤٦) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ خَرَجَ عَامَ الفَتْحِ إِلَى مَكَّةَ، فِي رَمَضَانَ، فَصَامَ، حَتَّى بَلَغَ كُرَاعَ الغَمِيمِ، فَصَامَ النَّاسُ، ثُمَّ دَعَا بِقَدَحٍ

[1] Kohl applied on the eyelashes for beauty or medicinal purposes.

[2] We are thus informed that the eating or drinking out of forgetfulness does not invalidate fasting. Neither one is obliged to observe a compensational fast (*Al-Qadā*) nor pay any expiation.

[3] There is a difference of opinion among the scholars as to whether or not vomiting invalidates fasting. The view which is based upon the evidence is that if the vomiting occurs by itself, the fasting remains valid, but if the vomiting is an induced one (i.e., someone vomits by himself on his own accord), it does invalidate fasting.

called for a cup of water which he raised till the people looked at it, and then he drank.[1] He was told afterwards that some of the people had continued to fast, and he said, "Those are the disobedient ones; those are the disobedient ones."[2]

مِنْ مَّاءٍ فَرَفَعهُ، حَتَّى نَظَرَ النَّاسُ إِلَيْهِ، ثُمَّ شَرِبَ، فَقِيلَ لَهُ بَعْدَ ذَلِكَ: إِنَّ بَعْضَ النَّاسِ قَدْ صَامَ، فَقَالَ: «أُولٰئِكَ العُصَاةُ، أُولٰئِكَ العُصَاةُ».

In another narration : "It was said to him: The people have found the fast difficult, and are waiting for what you will do." He then called for a cup of water after the *'Asr* prayer and drank. [Reported by Muslim].

وَفِي لَفْظٍ: «فَقِيلَ لَهُ: إِنَّ النَّاسَ قَدْ شَقَّ عَلَيْهِمُ الصِّيَامُ، وَإِنَّمَا يَنْتَظِرُونَ فِيمَا فَعَلْتَ، فَدَعَا بِقَدَحٍ مِن مَّاءٍ بَعْدَ العَصْرِ فَشَرِبَ». رَوَاهُ مُسْلِمٌ.

547. Narrated Hamza bin 'Amr Al-Aslamī[3] ﷺ: He said, "O Allāh's Messenger! I find myself strong enough to fast while travelling, so is there any sin upon me (if I fast)?" Allāh's Messenger ﷺ said, "It is a permission given by Allāh and whoever acts upon it has done well. And whoever desires to fast would not be guilty of sin." [Reported by Muslim. Its basic meaning is found in ***Al-Bukhāri*** and ***Muslim*** from 'Aisha's report that Hamza bin 'Amr had asked].

(٥٤٧) وَعَنْ حَمْزَةَ بْنِ عَمْرٍو الأَسْلَمِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ قَالَ: يَا رَسُولَ اللهِ! إِنِّي أَجِدُ بِي قُوَّةً عَلَى الصِّيَامِ فِي السَّفَرِ، فَهَلْ عَلَيَّ جُنَاحٌ؟ فَقَالَ رَسُولُ اللهِ ﷺ: «هِيَ رُخْصَةٌ مِنَ اللهِ، فَمَنْ أَخَذَ بِهَا فَحَسَنٌ، وَمَنْ أَحَبَّ أَنْ يَصُومَ فَلَا جُنَاحَ عَلَيْهِ». رَوَاهُ مُسْلِمٌ، وَأَصْلُهُ فِي المُتَّفَقِ عَلَيْهِ مِنْ حَدِيثِ عَائِشَةَ، أَنَّ حَمْزَةَ بْنَ عَمْرٍو سَأَلَ.

548. Narrated Ibn 'Abbās ﷺ: Permission was given for an old man to break his fast (in Ramadān) and feed a poor for every day, and no make-up (*Al-Qadā*) is required of him.[4] [Reported by Ad-

(٥٤٨) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: رُخِّصَ لِلشَّيْخِ الكَبِيرِ أَنْ يُفْطِرَ وَيُطْعِمَ عَنْ كُلِّ يَوْمٍ مِسْكِيناً، وَلَا قَضَاءَ عَلَيْهِ. رَوَاهُ الدَّارَقُطْنِيُّ وَالحَاكِمُ، وَصَحَّحَاهُ.

[1] It is permissible to observe fasting during a journey, but it is better not to observe it. In case someone feels exhausted out of exertion during a travel, he is permitted to break his fast. He can compensate for it by fasting later on. But he is not obliged to pay expiation to atone for it.

[2] As a general rule, it is permitted to fast during a journey. The people who did not break their fast were called the disobedient ones for the simple reason that as long as the Prophet ﷺ broke his fast, who are they to go on observing it? Obedience calls for a complete compliance with the instructions of the Prophet ﷺ. Perhaps those who continued fasting were under the impression that the Prophet ﷺ had instructed them to break their fasting merely out of his love and affection for them. Otherwise, his Companions رضي الله عنهم would never have disobeyed him.

[3] He was a ***Sabābi*** considered to be from Al-Hijāz region. He was nicknamed Abū Saleh or Abū Muhammad. His son Muhammad and 'Aisha 'Mother of Believers' ﷺ narrated from him. He died in 61 H. at the age of 80 years.

[4] An old man who is incapable of observing fast may atone for it by offering ***Fidya***

Dāraqutni and Al-Hākim both of whom authenticated it].

549. Narrated Abū Huraira ﷺ: A man[1] came to the Prophet ﷺ and said, "O Messenger of Allāh, I am ruined." He asked him, "What has ruined you?" He replied, "I had intercourse with my wife during Ramadān." He then asked him, "Can you get a slave to free?" He said, "No." He asked, "Can you fast two consecutive months?" He said, "No." He asked, "Can you provide food for sixty poor people?" He said, "No." He then sat down. Meanwhile an *'Araq*[2] containing dates was brought to the Prophet ﷺ. He said, "Give this as *Sadaqa*." The man said, "Am I to give to one who is poorer than we are? There is no family – between the two mountains of Al-Madinah – more in need of it than mine." The Prophet ﷺ thereupon laughed till his premolar teeth appeared. He then said, "Go and feed your family[3] with it."[4] [Reported by *As-Sab'a* and the wording is that of Muslim].

(٥٤٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: هَلَكْتُ يَا رَسُولَ اللهِ! قَالَ: «وَمَا أَهْلَكَكَ»؟ قَالَ: وَقَعْتُ عَلَى امْرَأَتِي فِي رَمَضَانَ، فَقَالَ: «هَلْ تَجِدُ مَا تُعْتِقُ رَقَبَةً»؟ قَالَ: لَا، قَالَ: «فَهَلْ تَسْتَطِيعُ أَنْ تَصُومَ شَهْرَيْنِ مُتَتَابِعَيْنِ»؟ قَالَ: لَا، قَالَ: «فَهَلْ تَجِدُ مَا تُطْعِمُ سِتِّينَ مِسْكِيناً»؟ قَالَ: لَا، ثُمَّ جَلَسَ، فَأُتِيَ النَّبِيُّ ﷺ بِعَرَقٍ فِيهِ تَمْرٌ، فَقَالَ: «تَصَدَّقْ بِهٰذَا»، فَقَالَ: أَعَلَى أَفْقَرَ مِنَّا؟ فَمَا بَيْنَ لَابَتَيْهَا أَهْلُ بَيْتٍ أَحْوَجُ إِلَيْهِ مِنَّا، فَضَحِكَ النَّبِيُّ ﷺ حَتَّى بَدَتْ أَنْيَابُهُ، ثُمَّ قَالَ: «اذْهَبْ فَأَطْعِمْهُ أَهْلَكَ». رَوَاهُ السَّبْعَةُ وَاللَّفْظُ لِمُسْلِمٍ.

550. Narrated 'Aisha and Umm Salama ﷺ: The Prophet ﷺ used to get up at dawn[5] while in a state of *Janāba*

(٥٥٠) وَعَنْ عَائِشَةَ وَأُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ كَانَ يُصْبِحُ جُنُباً

(compensation). Similarly a sick and invalid person whose health is not likely to improve may also offer *Fidya*. A *Fidya* represents the offering of a full meal to a poor person. The same represents an atonement for one day's missed fasting.

[1] This person was Salma bin Sakhr.

[2] A basket containing thirty *Sā'* of dates.

[3] It becomes thus known to us that in case a person is extremely impoverished, he can also feed his own kith and kin out of his own expiatory money (كفارة). The majority of scholars do not approve of it and some of them claim that this *Hadīth* is null and void. Some regard it as a special ruling meted out specifically to the person in question. But both of these claims are not corroborated by evidence.

[4] This *Hadīth* tells us that a woman is not liable to be subjected to *Kaffāra* (the payment of expiation). The majority of scholars do not approve of it. Some hold that if both man and woman mutually agree to sexual intercourse, they are both liable to make the payment of expiation. In case a man does it forcibly, he alone is required to make such a payment and not the woman.

[5] If a man has sexual intercourse with his wife during a night of Ramadān, he must take a

(sexual impurity). Then, he would take a bath and fast. [Agreed upon]. And Muslim added in the *Hadith* of Umm-Salama: "He would not make up (the fast)."

مِنْ جِمَاعٍ، ثُمَّ يَغْتَسِلُ وَيَصُومُ. مُتَّفَقٌ عَلَيْهِ، وَزَادَ مُسْلِمٌ فِي حَدِيثِ أُمِّ سَلَمَةَ: «وَلَا يَقْضِي».

551. Narrated 'Aisha ﵂: The Prophet ﷺ said, "Whoever dies while some fast is due from him (which is unfulfilled), his heir must fast[1] on his behalf." [Agreed upon].

(٥٥١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ مَاتَ وَعَلَيْهِ صِيَامٌ، صَامَ عَنْهُ وَلِيُّهُ». مُتَّفَقٌ عَلَيْهِ.

Chapter 1
THE VOLUNTARY FASTING AND THE DAYS FASTING HAS BEEN PROHIBITED

١ - بَابُ صَوْمِ التَّطَوُّعِ، وَمَا نُهِيَ عَنْ صَوْمِهِ

552. Narrated Abū Qatāda Al-Ansāri ﵁: Allāh's Messenger ﷺ was asked about the fast on the day of *'Arafa*, whereupon he said: "It expiates the sins of the preceding year and the coming year." And he was asked about fasting on the day of *'Ashurā'*, whereupon he said: "It expiates the sins of the preceding year." He was then asked about fasting on Monday, whereupon he said: "That is the day on which I was born, on it I was commissioned with Prophethood, and on it (the Qur'ān) was revealed to me."[2] [Reported by Muslim].

(٥٥٢) عَنْ أَبِي قَتَادَةَ الأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ سُئِلَ عَنْ صَوْمِ يَوْمِ عَرَفَةَ، قَالَ: «يُكَفِّرُ السَّنَةَ الْمَاضِيَةَ وَالْبَاقِيَةَ»، وَسُئِلَ عَنْ صَوْمِ يَوْمِ عَاشُورَاءَ فَقَالَ: «يُكَفِّرُ السَّنَةَ الْمَاضِيَةَ»، وَسُئِلَ عَنْ صَومِ يَوْمِ الاثْنَيْنِ، فَقَالَ: «ذٰلِكَ يَوْمٌ وُلِدْتُ فِيهِ، وَبُعِثْتُ فِيهِ، وَأُنْزِلَ عَلَيَّ فِيهِ». رَوَاهُ مُسْلِمٌ.

553. Narrated Abū Ayub Al-Ansāri ﵁:

(٥٥٣) وَعَنْ أَبِي أَيُّوبَ الأَنْصَارِيِّ رَضِيَ اللَّهُ

---

bath in case he has sufficient time and then observe his fast. If the time is short, he may perform ablution and then fast. If he does not have time even for that, he must wash off his face and hands, eat *Suhūr* and observe fast. Then he must take a bath immediately at dawn, in order to prepare for the *Fajr* prayer in congregation.

[1] In case someone dies without observing his obligatory share of fasting, his inheritors – or relatives – can observe the same on behalf of the deceased and thus the dead person gets exonerated from his obligation.

[2] This means that the minor sins are generally written off by the observance of such an act of fasting, but the major sins can only be forgiven by repentance. As far as the people's rights, liabilities and their monetary obligations as far as an indebted person is concerned, their forgiveness depends entirely on the will of the people one owes to. *'Arafah* is a term used for the ninth day of Dhul-Hijja whereas *'Ashura'* stands for the tenth of Muharram. The Prophet ﷺ liked fasting on Monday but did not elaborate on its reward.

Allāh's Messenger ﷺ said, "He who fasts Ramadān, then follows it with six (days of fasting) from Shawwal,[1] it will be (in terms of rewards) as if he has fasted a whole year." [Reported by Muslim].

تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَنْ صَامَ رَمَضَانَ، ثُمَّ أَتْبَعَهُ سِتًّا مِنْ شَوَّال، كَانَ كَصِيَامِ الدَّهْرِ». رَوَاهُ مُسْلِمٌ.

554. Narrated Abū Sa'īd Al-Khudri ﷺ: Allāh's Messenger ﷺ said, "No slave (of Allāh) will fast for a day[2] while engaged in *Jihād*, without Allāh removing the Hell-fire a distance of seventy years from his face for that day." [Agreed upon, and the wording is Muslim's].

(٥٥٤) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَا مِنْ عَبْدٍ يَصُومُ يَوْماً فِي سَبِيلِ اللهِ إِلَّا بَاعَدَ اللَّهُ بِذَلِكَ اليَوْمِ عَنْ وَجْهِهِ النَّارَ سَبْعِينَ خَرِيفاً». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

555. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ used to fast to such an extent that we thought he would never break his fast, and he would go without fasting to such an extent that we thought he would never fast. I never saw Allāh's Messenger ﷺ fast a complete month except in Ramadān, and I never saw him fast more in any month than in Sha'bān. [Agreed upon, and the wording is that of Muslim].

(٥٥٥) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَصُومُ حَتَّى نَقُولَ لَا يُفْطِرُ، وَيُفْطِرُ حَتَّى نَقُولَ لَا يَصُومُ، وَمَا رَأَيْتُ رَسُولَ اللهِ اسْتَكْمَلَ صِيَامَ شَهْرٍ قَطُّ إِلَّا رَمَضَانَ، وَمَا رَأَيْتُهُ فِي شَهْرٍ أَكْثَرَ مِنْهُ صِيَاماً فِي شَعْبَانَ. مُتَّفَقٌ عَلَيْهِ، واللَّفْظُ لِمُسْلِمٍ.

556. Narrated Abū Dhar ﷺ: Allāh's Messenger ﷺ commanded us to fast three days in the month; on the thirteenth, the fourteenth and the fifteenth."[3] [Reported by At-Tirmidhi and An-Nasā'i; Ibn Hibbān graded it *Sahih* (authentic)].

(٥٥٦) وَعَنْ أَبِي ذَرٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَمَرَنَا رَسُولُ اللهِ ﷺ أَنْ نَصُومَ مِنَ الشَّهْرِ ثَلَاثَةَ أَيَّامٍ: ثَلَاثَ عَشْرَةَ، وَأَرْبَعَ عَشْرَةَ، وَخَمْسَ عَشْرَةَ. رَوَاهُ النَّسَائِيُّ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

[1] If the thirty days of Ramadān fasting are joined with the six days of fasting in Shawwāl, it makes 36 days. According to *Shari'a* (the Islamic law), each virtue is rewarded ten times. Therefore, if we multiply 36 with 10, it makes 360, a number which equals the days of a year. Some scholars are of the opinion that these six days of fasting in Shawwāl must be completed in a continuous order right after the end of Ramadān. Some believe that it is enough to merely complete six days of fasting in Shawwāl – in any order, either successive or with intervals – which is deemed to be the most correct opinion. Also, the voluntary fast of Shawwal may only be done after making up any missed days of the obligatory fast of Ramadan.

[2] Fasting in the cause of Allah may imply the observance of fast while being in *Jihād* (battlefield). It may also mean a voluntary observance of fasting.

[3] This is known as the fasting of *Ayyām Al-Beed* (bright days), as a brightness (due to the full moon) lingers all through the nights following these specified fasting days.

557. Narrated Abū Huraira ؓ: Allah's Messenger ﷺ said: "It is not lawful for a woman to fast (optional fasting), when her husband is present, except with his permission.[1] [Agreed upon; The wording is that of Al-Bukhāri]. Abū Dā'ud added: "other than Ramadān."

(٥٥٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا يَحِلُّ لِلْمَرْأَةِ أَنْ تَصُومَ، وَزَوْجُهَا شَاهِدٌ، إِلَّا بِإِذْنِهِ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ، زَادَ أَبُو دَاوُدَ: «غَيْرَ رَمَضَانَ».

558. Narrated Abū Sa'īd Al-Khudri ؓ: Allāh's Messenger ﷺ forbade fasting on two days, the day of ***Al-Fitr*** (breaking the fast of Ramadān) and the day of ***Al-Adha*** (offering sacrifices). [Agreed upon].

(٥٥٨) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنْ صِيَامِ يَوْمَيْنِ: يَوْمِ الْفِطْرِ، وَيَوْمِ النَّحْرِ. مُتَّفَقٌ عَلَيْهِ.

559. Narrated Nubaisha Al-Hudhali[2] ؓ: Allāh's Messenger ﷺ said, "The days of ***At-Tashrīq***[3] are days of eating, drinking and the remembrance of Allāh, the Great and Glorious." [Reported by Muslim].

(٥٥٩) وَعَنْ نُبَيْشَةَ الْهُذَلِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَيَّامُ التَّشْرِيقِ أَيَّامُ أَكْلٍ وَشُرْبٍ وَذِكْرِ اللهِ عَزَّ وَجَلَّ». رَوَاهُ مُسْلِمٌ.

560. Narrated 'Aisha and Ibn 'Umar ؓ: Nobody was allowed to fast on the days of ***At-Tashriq*** except those who could not afford the ***Al-Hady*** (sacrifices). [Reported by Al-Bukhāri].

(٥٦٠) وَعَنْ عَائِشَةَ وَابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمْ قَالَا: لَمْ يُرَخَّصْ فِي أَيَّامِ التَّشْرِيقِ أَنْ يُصَمْنَ إِلَّا لِمَنْ لَمْ يَجِدِ الْهَدْيَ. رَوَاهُ الْبُخَارِيُّ.

561. Narrated Abū Huraira ؓ: The Prophet ﷺ said, "Do not single out the night (preceding) Friday – from among the nights – for prayer; and do not single out Friday – from among the days – for fasting, unless it occurs during a day of fasting, which one of you normally observes." [Reported by Muslim].

(٥٦١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «لَا تَخُصُّوا لَيْلَةَ الْجُمُعَةِ بِقِيَامٍ، مِنْ بَيْنِ اللَّيَالِي، وَلَا تَخُصُّوا يَوْمَ الْجُمُعَةِ بِصِيَامٍ، مِنْ بَيْنِ الْأَيَّامِ، إِلَّا أَنْ يَكُونَ فِي صَوْمٍ يَصُومُهُ أَحَدُكُمْ». رَوَاهُ مُسْلِمٌ.

---

[1] A woman is forbidden to observe a voluntary fast without acquiring her husband's permission. Even if she intends to observe a compensatory fast (in lieu of the missed obligatory one), she still need to ask for her husband's permission.

[2] He is Abū Turaif Nubaisha bin 'Abdullāh bin 'Amr bin 'Itāb Al-Hudhali. He is a *Sahābi* who has eleven *Ahadīth*. He settled at Basra and was called, Nubaisha the benevolent.

[3] *Ayyam At-Tashrīq* is a term used for the eleventh, twelfth, and thirteenth of Dhul Hijja. It is forbidden to fast during these days. Someone who is performing *Hajj* may observe fasting on the said days if he fails to get an animal for sacrifice; the others are not allowed. In addition to it, it is also forbidden to fast on the days of two *'Eid*, irrespective of the fact whether the fasting happens to be a voluntary one or a compensatory one.

562. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said, "None of you should fast on Friday,[1] unless he fasts (it together with) a day before it or a day after it." [Agreed upon].

(٥٦٢) وَعَنْهُ أَيْضاً قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَصُومَنَّ أَحَدُكُمْ يَوْمَ الجُمُعَةِ، إِلَّا أَنْ يَصُومَ يَوْماً قَبْلَهُ، أَوْ يَوْماً بَعْدَهُ». مُتَّفَقٌ عَلَيْهِ.

563. Narrated (Abū Huraira) ﷺ: Allah's Messenger ﷺ said: "When the (month of) Sha'bān is halfway through, do not fast."[2] [Reported by *Al-Khamsa*. Ahmad considered it *Munkar* (rejected)].

(٥٦٣) وَعَنْهُ أَيْضاً أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِذَا انْتَصَفَ شَعْبَانُ فَلَا تَصُومُوا». رَوَاهُ الخَمْسَةُ، وَاسْتَنْكَرَهُ أَحْمَدُ.

564. Narrated As-Sammā' bint Busr[3] ﷺ: Allāh's Messenger ﷺ said, "Do not fast on a Saturday[4] except what has been made obligatory on you; and if one of you can get nothing but a grape-skin or a twig from a tree, he should chew it." [Reported by *Al-Khamsa*, and its narrators are reliable, but it is *Mudtarib* (narrated with irreconcilable contradictions in the chain). Mālik rejected it and Abū Dā'ud said, 'It is *Mansūkh* (abrogated).']

(٥٦٤) وَعَنِ الصَّمَّاءِ بِنْتِ بُسْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا تَصُومُوا يَوْمَ السَّبْتِ إِلَّا فِيمَا افْتُرِضَ عَلَيْكُمْ، فَإِنْ لَمْ يَجِدْ أَحَدُكُمْ إِلَّا لِحَاءَ عِنَبٍ، أَوْ عُودَ شَجَرَةٍ، فَلْيَمْضُغْهَا». رَوَاهُ الخَمْسَةُ، وَرِجَالُهُ ثِقَاتٌ، إِلَّا أَنَّهُ مُضْطَرِبٌ، وَقَدْ أَنْكَرَهُ مَالِكٌ، وَقَالَ أَبُو دَاوُدَ: هُوَ مَنْسُوخٌ.

565. Narrated Umm Salama ﷺ: Allāh's Messenger ﷺ used to fast mostly on Saturday and Sunday, and he used to say, "They are festival days for the polytheists, and I want to act contrary to them." [Reported by An-Nasā'i. Ibn Khuzaima graded it *Sahih* (authentic) and this is his wording].

(٥٦٥) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ رَسُولَ اللهِ ﷺ أَكْثَرَ مَا كَانَ يَصُومُ مِنَ الأَيَّامِ، يَوْمُ السَّبْتِ، وَيَوْمُ الأَحَدِ، وَكَانَ يَقُولُ: «إِنَّهُمَا يَوْمَا عِيدٍ لِلْمُشْرِكِينَ، وَأَنَا أُرِيدُ أَنْ أُخَالِفَهُمْ». أَخْرَجَهُ النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ

[1] It is prohibited to observe fast on Friday alone. This prohibition may be due to the the mistaken belief of someone who deliberately observes fast on Friday thinking that he will get more reward for it on this particular day.

[2] One can fast provided he has to observe a compensatory fasting (in lieu of the *Fard* - obligatory ones) or the other prescribed ones which may be categorized as *Wājib* (compulsory). However, voluntary fasting is prohibited lest one should be subjected to exhaustion and weakness that may in turn render the Ramadān obligatory fasting difficult for him.

[3] As-Sammā's name was Buhaiya or Bahima bint Busr. She was a *Sahābiya* from the clan of Māzin. She was said to be the sister or the aunt of 'Abdullāh bin Busr.

[4] Since Saturday carries a special importance for the Jews and they observe fast on this day, and pay deference to it; and as long as the observance of fasting strikes a resemblance with the Jews, hence the Prophet ﷺ has prohibited singling out Saturday only to this end. However, Umm Salama ﷺ narrates that the Prophet ﷺ observed fast on Saturday and Sunday both. Since Saturday is the day of festivity among the Jews, the Prophet ﷺ fasted on

خُزَيْمَةَ، وَهٰذَا لَفْظُهُ.

566. Narrated Abū Huraira ﷺ: the Prophet ﷺ prohibited fasting on the day of *'Arafa* at 'Arafāt.[1] [Reported by *Al-Khamsa* except At-Tirmidhi; Ibn Khuzaima and Al-Hākim authenticated it, and Al-'Uqaili considered it *Munkar* (rejected)].

(٥٦٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ صَوْمِ يَوْمِ عَرَفَةَ بِعَرَفَةَ. رَوَاهُ الخَمْسَةُ غَيْرَ التِّرْمِذِيِّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَالحَاكِمُ، وَاسْتَنْكَرَهُ العُقَيْلِيُّ.

567. Narrated 'Abdullah bin 'Umar ﷺ: Allah's Messenger ﷺ said, "He who observes perpetual fasting[2] , has not fasted." [Agreed upon]. Muslim reported it from Abū Qatada with the wording: "He has not fasted nor broken his fast."

(٥٦٧) وَعَنْ عَبْدِ اللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا صَامَ مَنْ صَامَ الأَبَدَ». مُتَّفَقٌ عَلَيْهِ، وَلِمُسْلِمٍ عَنْ أَبِي قَتَادَةَ بِلَفْظِ: «لَا صَامَ وَلَا أَفْطَرَ».

Chapter 2
AL-I'TIKAF AND OFFERING OF PRAYERS DURING THE NIGHTS OF RAMADAN

٢ - بَابُ الاعْتِكَافِ وَقِيَامِ رَمَضَانَ

568. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "He who prays during the night in Ramadān[3] with faith and seeking his reward[4] from

(٥٦٨) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَنْ قَامَ رَمَضَانَ إِيمَاناً وَاحْتِسَاباً غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ». مُتَّفَقٌ

this day to oppose the Jewish norms, and in order to supplement the reward of it, he also fasted on Sunday.

[1] It is prohibited for the one performing *Hajj* to fast on the day of *'Arafah* (the ninth of Dhul-Hijja) since one has to face a lot of hardships and rigorous trials on this day. Therefore, the observance of fasting on this day may lead to exhaustion and weakness which in turn may prove to be a hindrance in performing the ritual components of *Hajj*. Other people (the ones who are not performing *Hajj*) are not prohibited to fast on this day. In fact, the same carries a great importance and reward.

[2] Some ignorant people keep observing fast on a perpetual basis. This *Hadīth* clearly proves that this practice is prohibited. The majority of scholars are of the opinion that it is forbidden to always observe fasting as the same enfeebles a person and thus causes hindrance in many of his religious and worldly activities. It is stated in a *Hadīth* that a person owes some liability to his own physique and bodily existence too, thereby giving some rest to himself from time to time. Even the Prophet ﷺ followed the same course of action by observing fast some day and leaving it the other day.

[3] *Qiyām* stands for performing the voluntary prayers (*Tarāwīh*) during Ramadān nights. By the virtue of this prayer, one's previous sins are all absolved and forgiven, provided the one performing the same harbors a complete and absolute faith in the commitment made by Allāh in regard to it's reward.

[4] It implies that the same should not be done for the purpose of merely showing-off. If so,

Allāh will have his past sins forgiven." [Agreed upon].

569. Narrated 'Aisha ﵂: When the last ten days of Ramadān began, Allah's Messenger ﷺ used to tighten his waist belt (i.e. occupy himself with the worship of Allāh), stay awake all night, and awaken his family (for night prayers). [Agreed upon].

570. Narrated ('Aisha) ﵂: When the Prophet ﷺ intended *I'tikaf* (seclusion in the mosque for worship), he prayed the dawn prayer and then entered his place of seclusion. [Agreed upon].

571. Narrated ('Aisha) ﵂: The Prophet ﷺ used to engage in *I'tikaf* (seclusion in the mosque for worship) during the last ten days of Ramadān till Allāh, Who is Great and Glorious took his soul (to His Mercy). Then, his wives[1] engaged in *I'tikaf* after him (i.e. after his death). [Agreed upon].

572. Narrated ('Aisha) ﵂: Allāh's Messenger ﷺ would put his head in my room – while he was in the mosque – and I would then comb it. And he would never enter the house except for a need,[2] if he was in *I'tikaf* (seclusion).[Agreed upon; the wording is Al-Bukhāri's].

573. Narrated ('Aisha) ﵂: The *Sunnah* for one who is observing *I'tikaf* (seclusion in a mosque for worship) is not to visit a sick person, nor attend a funeral, nor touch nor fondle a woman

عَلَيْهِ.

(٥٦٩) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ إِذَا دَخَلَ العَشْرُ، - أَيِ العَشْرُ الأَخِيرَةُ مِنْ رَمَضَانَ - شَدَّ مِئْزَرَهُ، وَأَحْيَا لَيْلَهُ، وَأَيْقَظَ أَهْلَهُ. مُتَّفَقٌ عَلَيْهِ.

(٥٧٠) وَعَنْهَا أَنَّ النَّبِيَّ ﷺ كَانَ يَعْتَكِفُ العَشْرَ الأَوَاخِرَ مِنْ رَمَضَانَ، حَتَّى تَوَفَّاهُ اللَّهُ عَزَّ وَجَلَّ، ثُمَّ اعْتَكَفَ أَزْوَاجُهُ مِنْ بَعْدِهِ. مُتَّفَقٌ عَلَيْهِ.

(٥٧١) وَعَنْهَا رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ النَّبِيُّ ﷺ إِذَا أَرَادَ أَنْ يَعْتَكِفَ، صَلَّى الفَجْرَ ثُمَّ دَخَلَ مُعْتَكَفَهُ. مُتَّفَقٌ عَلَيْهِ.

(٥٧٢) وَعَنْهَا قَالَتْ: إِنْ كَانَ رَسُولُ اللهِ ﷺ لَيُدْخِلُ عَلَيَّ رَأْسَهُ، - وَهُوَ فِي المَسْجِدِ - فَأُرَجِّلُهُ، وَكَانَ لَا يَدْخُلُ البَيْتَ إِلَّا لِحَاجَةٍ، إِذَا كَانَ مُعْتَكِفاً. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

(٥٧٣) وَعَنْهَا قَالَتْ: السُّنَّةُ عَلَى المُعْتَكِفِ أَن لَا يَعُودَ مَرِيضاً، وَلَا يَشْهَدَ جَنَازَةً، وَلَا يَمَسَّ امْرَأَةً، وَلَا يُبَاشِرَهَا، وَلَا يَخْرُجَ لِحَاجَةٍ إِلَّا لِمَا لَا بُدَّ لَهُ مِنْهُ، وَلَا اعْتِكَافَ إِلَّا بِصَوْمٍ.

all of one's minor sins are forgiven and written off. Some scholars make this statement to be a conditional one that the forgiveness is only possible if the person performing it has sound *'Aqīda* (Belief – Creed).

[1] According to this *Hadīth*, women too should observe *I'tikāf* (sitting in a complete confinement in a mosque and offering prayers and supplications during the last ten days of Ramadān).

[2] Here, 'a need' (الحاجة) implies responding to the call of nature in terms of urination or defecation.

(one's wife),[1] nor go out for any need, except for that which is an absolute necessity. There is no *I'tikaf* without fasting, and no *I'tikaf* except in a congregational mosque. [Abū Dā'ud reported it, and its narrators are acceptable, except that the strongest opinion is that the end of it (the last sentence) is *Mawqūf* (saying of a Companion, i.e. 'Aisha)].

وَلَا اعْتِكَافَ إِلَّا فِي مَسْجِدٍ جَامِعٍ. رَوَاهُ أَبُو دَاوُدَ، وَلَا بَأْسَ بِرِجَالِهِ، إِلَّا أَنَّ الرَّاجِحَ وَقْفُ آخِرِهِ.

574. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ said: "Fasting is not incumbent[2] on one engaged in *I'tikaf* (seclusion in the mosque for worship) unless he imposes[3] it on himself." [Reported by Ad-Dāraqutni and Al-Hākim. The strongest opinion is that it is also *Mawqūf* (saying of a Companion, i.e. Ibn 'Abbas)].

(٥٧٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَيْسَ عَلَى الْمُعْتَكِفِ صِيَامٌ، إِلَّا أَنْ يَجْعَلَهُ عَلَى نَفْسِهِ». رَوَاهُ الدَّارَقُطْنِيُّ وَالحَاكِمُ، وَالرَّاجِحُ وَقْفُهُ أَيْضاً.

575. Narrated Ibn 'Umar ﷺ: Some of the Prophet's ﷺ companions saw in their dreams that *Lailatul-Qadr* was among the last seven nights (of Ramadān). Hence, Allāh's Messenger ﷺ said, "I see that your dreams agree regarding the last seven nights. Therefore, whoever is to seek it, should do so during the last seven nights."[4] [Agreed upon].

(٥٧٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رِجَالاً مِنْ أَصْحَابِ النَّبِيِّ ﷺ أُرُوا لَيْلَةَ القَدْرِ فِي المَنَامِ، فِي السَّبْعِ الأَوَاخِرِ، فَقَالَ رَسُولُ اللهِ ﷺ: «أَرَى رُؤْيَاكُمْ قَدْ تَوَاطَأَتْ فِي السَّبْعِ الأَوَاخِرِ، فَمَنْ كَانَ مُتَحَرِّيَهَا، فَلْيَتَحَرَّهَا فِي السَّبْعِ الأَوَاخِرِ». مُتَّفَقٌ عَلَيْهِ.

576. Narrated Mu'āwiya bin Abū Sufyān ﷺ : With regard to *Lailatul-Qadr*, the Prophet ﷺ said, "It is the twenty-seventh night." [Reported by Abū Dā'ud. The strongest opinion is that it is *Mawqūf* (saying of a Companion, i.e.

(٥٧٦) وَعَنْ مُعَاوِيَةَ بْنِ أَبِي سُفْيَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ، قَالَ فِي لَيْلَةِ القَدْرِ: «لَيْلَةُ سَبْعٍ وَعِشْرِينَ». رَوَاهُ أَبُو دَاوُدَ، وَالرَّاجِحُ وَقْفُهُ.

[1] Here, touching one's wife implies the act of sexual intercourse, which unanimously nullifies *I'tikāf*. Otherwise, touching one's wife, in itself, is not prohibited.

[2] It implies the regular days, other than Ramadān.

[3] Fasting does not become binding on the one who is observing *I'tikāf* unless he himself vows to observe fasting.

[4] A *Hadīth* which is narrated by 'Abdullāh bin 'Umar رضي الله عنهما according to *Sahihain*, states that one should search for *Lailatul-Qadr* (Night of Decree) within the last ten nights of Ramadān. If the same is not possible, then one should look for it within the last seven nights, specially the odd ones like 21st, 23rd, 25th, 27th and 29th.

Mu'awiya].

Forty different sayings were mentioned regarding the exact night of *Lailatul-Qadr* and I mentioned them in *Fath Al-Bāri* [Explanation of *Sahih Al-Bukhari*, by Al-Hafiz Ibn Hajar].

وَقَدِ اخْتُلِفَ فِي تَعْيِينِهَا عَلَى أَرْبَعِينَ قَوْلاً، أَوْرَدْتُها فِي فَتْحِ البَارِي.

577. Narrated 'Aisha ﷺ: I said, "O Allāh's Messenger, tell me, if I know which night is *Lailatul-Qadr*,[1] what (supplication) should I say in it?' He said, "Say, O Allāh, You are forgiving and love forgiveness, so forgive me." [Reported by the *Al-Khamsa* except Abū Dā'ud. At-Tirmidhi and Al-Hākim authenticated it].

(٥٧٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: قُلْتُ: يَا رَسُولَ اللهِ! أَرَأَيْتَ إِنْ عَلِمْتُ أَيَّ لَيْلَةٍ لَيْلَةُ القَدْرِ، ما أقول فيها؟ قَالَ: «قُولِي اللَّهُمَّ إِنَّكَ عَفُوٌّ، تُحِبُّ العَفْوَ، فَاعْفُ عَنِّي». رَوَاهُ الخَمْسَةُ غَيْرَ أَبِي دَاوُدَ، وَصَحَّحَهُ التِّرْمِذِيُّ وَالحَاكِمُ.

578. Narrated Abū Sa'īd Al-Khudri ﷺ: Allāh's Messenger ﷺ said, "Do not set out on a journey except to three mosques; i.e., *Al-Masjid Al-Harām* (at Makka), my *Masjid* (at Al-Madīnah) and *Al-Masjid Al-Aqsā* (Mosque of Jerusalem)."[2] [Agreed upon].

(٥٧٨) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تُشَدُّ الرِّحَالُ إِلَّا إِلى ثَلَاثَةِ مَسَاجِدَ: المَسْجِدِ الحَرَامِ، وَمَسْجِدِي هَذَا، وَالمَسْجِدِ الأَقْصَى». مُتَّفَقٌ عَلَيْهِ.

[1] The strongest view concerning *Lailatul-Qadr* is that this night occurs within the last ten nights of Ramadān particularly in its odd nights and the same may keep changing in Ramadān alternatively. This night sometimes may occur on 21st, or 23rd, or 25th etc. It can not be stated with an absolute certainty as to which of these particular nights is *Lailatul-Qadr*, but the same has been kept unknown and this is what the contents of *Ahādith* imply.

[2] As mentioned in an earlier *Hadīth*, the observance of *I'tikāf* must take place in a mosque. Some of the scholars have conditioned *I'tikāf* with these three mosques. However, the compiler refutes and negates their viewpoint and maintains that the three above stated mosques have not been specified for the observance of *I'tikāf*. They have been specified for the purpose of visit and pilgrimage. This *Hadīth* further informs us that it is not permissible to proceed to any place other than these three mosques with the intention of getting reward. If someone goes to the Prophet's mosque, he must also enjoy the honour of visiting Prophet's (ﷺ) grave. As to those who travel to visit the entombed graves of *Auliya-Allāh* ('saints'), with the intention of earning reward, such are the people who are committing innovation in the religion as well as *shirk*.

6. THE BOOK OF *HAJJ* (PILGRIMAGE)

٦ - كِتَابُ الحَجِّ

Chapter 1
HAJJ – ITS MERIT AND THE DEFINITION OF THOSE UPON WHOM IT WAS PRESCRIBED

١ - بَابُ فَضْلِهِ وَبَيَان مَنْ فُرِضَ عَلَيْهِ

579. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "An *'Umrah* is an expiation for sins committed between it and the next, but an accepted *Hajj* will receive no less a reward than Paradise."[1] [Agreed upon].

(٥٧٩) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «العُمْرَةُ إِلَى العُمْرَةِ كَفَّارَةٌ لِمَا بَيْنَهُمَا، وَالحَجُّ المَبْرُورُ لَيْسَ لَهُ جَزَاءٌ إِلَّا الجَنَّةَ». مُتَّفَقٌ عَلَيْهِ.

580. Narrated 'Aisha ﷺ: I asked, Allāh's Messenger ﷺ, "Is *Jihād* incumbent upon women?" He replied, "Yes, *Jihād* which does not include fighting is incumbent upon them, it is the *Hajj* and the *'Umrah*."[2] [Ahmad and Ibn Mājah reported it, and the wording is Ibn Majah's; its chain of narrators is *Sahih* (authentic), and its basic meaning is found in the *Sahih* (of Al-Bukhāri)].

(٥٨٠) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قُلْتُ: يَا رَسُولَ اللهِ! عَلَى النِّسَاءِ جِهَادٌ؟ قَالَ: «نَعَمْ، عَلَيْهِنَّ جِهَادٌ لَا قِتَالَ فِيهِ؛ الحَجُّ وَالعُمْرَةُ». رَوَاهُ أَحْمَدُ وَابْنُ مَاجَهْ، وَاللَّفْظُ لَهُ، وَإِسْنَادُهُ صَحِيحٌ، وَأَصْلُهُ فِي الصَّحِيحِ.

581. Narrated Jābir bin 'Abdullāh ﷺ: A bedouin came to the Prophet ﷺ and said, "O Allāh's Messenger, tell me about the *'Umrah*, is it incumbent?"[3] He replied, "No, but it is better for you to perform *'Umrah*." [Reported by

(٥٨١) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أَتَى النَّبِيَّ ﷺ أَعْرَابِيٌّ، فَقَالَ: يَا رَسُولَ اللهِ! أَخْبِرْنِي عَنِ العُمْرَةِ، أَوَاجِبَةٌ هِيَ؟ فَقَالَ: «لَا، وَأَنْ تَعْتَمِرَ خَيْرٌ

[1] No particular day has been specified for *'Umrah*. One can perform it whenever he likes. *Hajj Mabrūr* (an accepted *Hajj*) is the one which is performed by someone with a right intention and sincerity. All the pertinent rituals should be performed, and observed to perfection, after which a *Hajji* (pilgrim) feels himself more inclined towards piety and righteousness.

[2] It thus becomes known to us that there is no obligation on women to participate in the *Jihād* wherein one has to fight in the battlefield. This *Hadīth* tells us that the women, by performing *Hajj*, are entitled to the reward of *Jihād*.

[3] *'Umrah* lexically means 'a visit'. According to *Shari'a* terminology, it implies "In the state of *Ihrām* the circumambulation of *Al-Ka'ba*, running between *As-Safa* and *Al-Marwa* and shaving or shortening one's hair..." There is a difference of opinion among the scholars as to whether or not *'Umrah* is *Wājib* (compulsory). Some scholars regard it as *Mustahab* (desirable). And Allāh Knows best!

Ahmad & At-Tirmidhi. The strongest opinion is that it is *Mawqūf* (saying of a Companion, i.e. Jabir)].

لَكَ». رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ، وَالرَّاجِحُ وَقْفُهُ.

Ibn 'Adi reported, through another chain of narrators which is *Da'if* (weak), from Jābir (ﷺ) *Marfu'* (attributed to the Prophet): *Hajj* and *'Umrah* are two obligatory duties.

وَأَخْرَجَهُ ابْنُ عَدِيٍّ مِنْ وَجْهٍ آخَرَ ضَعِيفٍ عَنْ جَابِرٍ مَرْفُوعاً: «اَلْحَجُّ وَالعُمْرَةُ فَرِيضَتَانِ».

582. Narrated Anas ﷺ: It was said, "O Allah's Messenger, what is the meaning of *As-Sabīl*?"[1] He replied, "Provisions and a riding animal." [Reported by Ad-Dāraqutni. Al-Hākim authenticated it. The strongest opinion is that it is *Mursal* (missing link in the chain, after the *Tābi'i*)]. At-Tirmidhi has also reported it from the *Hadith* of Ibn 'Umar (ﷺ), but its chain of narrators is weak.

(٥٨٢) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قِيلَ: يَا رَسُولَ اللهِ! مَا السَّبِيلُ؟ قَالَ: «الزَّادُ وَالرَّاحِلَةُ». رَوَاهُ الدَّارَقُطْنِيُّ، وَصَحَّحَهُ الحَاكِمُ، وَالرَّاجِحُ إِرْسَالُهُ، أَخْرَجَهُ التِّرْمِذِيُّ مِنْ حَدِيثِ ابْنِ عُمَرَ أَيْضاً، وَفِي إِسْنَادِهِ ضَعْفٌ.

583. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ met some riders at Ar-Rawhā' and asked, "Who are you?" They replied, "We are Muslims", and they asked, "Who are you?" He said, "Allāh's Messenger." Then, a woman lifted up a boy to him and asked, "Would this (child) be credited with having performed the *Hajj* (pilgrimage)?" He replied, "Yes, and you will have a reward."[2] [Reported by Muslim].

(٥٨٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ لَقِيَ رَكْباً بِالرَّوْحَاءِ، فَقَالَ: «مَنِ القَوْمُ؟» فَقَالُوا: مَنْ أَنْتَ؟ قَالَ: «رَسُولُ اللهِ»، فَرَفَعَتْ إِلَيْهِ امْرَأَةٌ صَبِيًّا، فَقَالَتْ: أَلِهٰذَا حَجٌّ؟ قَالَ: «نَعَمْ، وَلَكِ أَجْرٌ». رَوَاهُ مُسْلِمٌ.

[1] Allāh, the Exalted One, has said in the Qur'ān that the performance of *Hajj* is binding on those who are capable of making their way (to *Makkah*). Someone questioned the Prophet ﷺ as to what does the word *As-Sabil* (the way) stand for? He (ﷺ) answered that the same stands for one's own travel expenses, as well as the provisions of one's household, and then the availability of the means of transportation. Once all these things are available to him, it becomes binding on him to perform *Hajj*. But the expenses thus incurred should not be at the cost of indebtedness (i.e., he should be free from debt). For, as long as he is indebted to other people, he is not obligated to perform *Hajj*. The ones living near Makkah are exempted from the condition of possessing the means of transportation.

[2] This *Hadīth* tells us that the reward of a good deed done by a non-adult (child) reaches his parents. It further tells us that in terms of the performance of *Hajj* rituals, the infants are governed by the same ruling as their mother (i.e., their mother's *Ihrām* becomes their *Ihrām* and their mother's running becomes their own running, etc.). In case someone has performed *Hajj* before reaching puberty, he is obligated to perform another *Hajj* after attaining adulthood, provided he has sufficient funds to pay for its expenses and the means of transportation.

584. Narrated (Ibn 'Abbās) ﷺ: Al-Fadl bin 'Abbās[1] was riding behind Allāh's Messenger ﷺ. A woman of Khath'am came, and Al-Fadl began to look at her and she looked at him. The Prophet ﷺ turned his face to the other side. She then asked, "O Allāh's Messenger, Allāh's command that His slaves should perform the *Hajj* (pilgrimage) has come when my father is a very old man and is unable to sit firmly on a riding animal. Should I perform the *Hajj* on his behalf?" He replied, "Yes."[2] That was at the *Hajjatul-Wadā'* (the Farewell pilgrimage). [Agreed upon, and the wording is that of Al-Bukhāri].

(٥٨٤) وَعَنْهُ قَالَ: كَانَ الفَضْلُ بْنُ عَبَّاسٍ رَدِيفَ رَسُولِ اللهِ ﷺ، فَجَاءَتِ امْرَأَةٌ مِنْ خَثْعَمَ، فَجَعَلَ الفَضْلُ يَنْظُرُ إِلَيْهَا، وَتَنْظُرُ إِلَيْهِ، وَجَعَلَ النَّبِيُّ ﷺ يَصْرِفُ وَجْهَ الفَضْلِ إِلَى الشِّقِّ الآخَرِ، فَقَالَتْ: يَا رَسُولَ اللهِ! إِنَّ فَرِيضَةَ اللهِ عَلَى عِبَادِهِ فِي الحَجِّ أَدْرَكَتْ أَبِي شَيْخاً كَبِيراً، لَا يَثْبُتُ عَلَى الرَّاحِلَةِ، أَفَأَحُجُّ عَنْهُ؟ قَالَ: «نَعَمْ»، وَذَلِكَ فِي حَجَّةِ الوَدَاعِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

585. Narrated (Ibn 'Abbās) ﷺ: A woman of Juhaina came to the Prophet ﷺ and said, "My mother had taken a vow to perform the *Hajj*, but did not perform the *Hajj* till she died. Should I perform the *Hajj* on her behalf?" He replied, "Yes, perform the *Hajj* on her behalf. What do you think – if your mother had a debt, would you pay it? Pay the debt due to Allāh, for Allāh has more right to the payment of debt (due to Him)."[3] [Reported by Al-Bukhāri].

(٥٨٥) وَعَنْهُ أَنَّ امْرَأَةً مِنْ جُهَيْنَةَ جَاءَتْ إِلَى النَّبِيِّ ﷺ، فَقَالَتْ: إِنَّ أُمِّي نَذَرَتْ أَنْ تَحُجَّ، فَلَمْ تَحُجَّ، حَتَّى مَاتَتْ، أَفَأَحُجُّ عَنْهَا؟ قَالَ: «نَعَمْ، حُجِّي عَنْهَا، أَرَأَيْتِ لَوْ كَانَ عَلَى أُمِّكِ دَيْنٌ أَكُنْتِ قَاضِيَتَهُ؟ اقْضُوا اللَّهَ، فَاللَّهُ أَحَقُّ بِالوَفَاءِ». رَوَاهُ البُخَارِيُّ.

[1] He was the Prophet's ﷺ cousin and his mother was called Umm Fadl Lubaba Al-Kubra bint Al-Hārith Al-Hilāliya. Al-Fadl was elegant and handsome. He stood firm with the Prophet ﷺ during the battle of Hunain and attended the washing of the Prophets body. He was the eldest son of Al-'Abbās. He went out for *Jihād* in Shām and it is said that he died in the plague called 'Amwās in Jordan in 18 H. It is also said that he was martyred in Yarmuk or in Damascus while wearing the armor of the Prophet ﷺ.

[2] *Hajj* becomes an obligation on the person who possesses sufficient funds to undertake a pilgrimage, finds his way clear and safe, gets his government's permission and has access to the means of transportation. If this person enjoys good health, he must perform the pilgrimage for himself. In case this person sends someone else to perform *Hajj* on his behalf, the same is not acceptable. If a person happens to be such an old man who is incapacitated or is suffering from a debilitating illness, from which he has no hope of recovery, it is permissible for him to send someone else on his behalf by giving him money. Thus, he would be free from his own *Hajj* obligation. However, the condition which strictly applies in such a case is that a person sent to *Hajj* thereof, on someone else's behalf, must have already performed his own obligatory *Hajj* prior to this one.

[3] Some scholars hold that if someone dies in a condition that the performance of *Hajj* was obligatory on him in his lifetime, then it becomes an obligation on the next of his kin to perform the same on his behalf, regardless of whether or not he made a will about it prior to

586. Narrated (Ibn 'Abbās) ﷺ: Allāh's Messenger ﷺ said, "If any minor performs the *Hajj* (pilgrimage) and afterwards attains the age of puberty he must then perform another *Hajj*; and if any slave performs the *Hajj* and afterwards is freed, he must then perform another *Hajj*." [Reported by Ibn Abi-Shaiba and Al-Baihaqi. Its narrators are reliable, but there is disagreement as to whether or not it is *Marfū'* (attributed to the Prophet). The correct opinion is that it is *Mawqūf* (saying of a Companion)].

(٥٨٦) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَيُّمَا صَبِيٍّ حَجَّ، ثُمَّ بَلَغَ الحِنْثَ، فَعَلَيْهِ أَنْ يَحُجَّ حَجَّةً أُخْرَى، وَأَيُّمَا عَبْدٍ حَجَّ، ثُمَّ أُعْتِقَ فَعَلَيْهِ أَنْ يَحُجَّ حَجَّةً أُخْرَى». رَوَاهُ ابْنُ أَبِي شَيْبَةَ وَالبَيْهَقِيُّ، وَرِجَالُهُ ثِقَاتٌ، إِلَّا أَنَّهُ اخْتُلِفَ فِي رَفْعِهِ، وَالمَحْفُوظُ أَنَّهُ مَوقُوفٌ.

587. Narrated (Ibn 'Abbās) ﷺ: I heard Allāh's Messenger ﷺ addressing (the people) and saying, "A man must not be alone with a woman unless a man who is a *Mahram*[1] is with her. Likewise, a woman must not travel unless accompanied by a man who is a *Mahram*". A man stood up and said, "O Allāh's Messenger, my wife has gone out to perform the *Hajj* (pilgrimage), and I have been enrolled for such and such expedition." Thereupon he said, "Go and perform the *Hajj* with your wife." [Agreed upon, and the wording is Muslim's].

(٥٨٧) وَعَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَخْطُبُ يَقُولُ: «لَا يَخْلُوَنَّ رَجُلٌ بِامْرَأَةٍ إِلَّا وَمَعَهَا ذُو مَحْرَمٍ، وَلَا تُسَافِرُ المَرْأَةُ إِلَّا مَعَ ذِي مَحْرَمٍ»، فَقَامَ رَجُلٌ فَقَالَ: يَا رَسُولَ اللهِ! إِنَّ امْرَأَتِي خَرَجَتْ حَاجَّةً، وَإِنِّي اكْتُتِبْتُ فِي غَزْوَةِ كَذَا وَكَذَا، قَالَ: «انْطَلِقْ فَحُجَّ مَعَ امْرَأَتِكَ». مُتَّفَقٌ عَلَيْهِ، واللَّفْظُ لِمُسْلِمٍ.

588. Narrated (Ibn 'Abbās) ﷺ: The Prophet ﷺ heard a man saying, "*Labbaika*[2] on behalf of Shubruma." He asked, "Who is Shubruma?" He replied, "A brother of mine," or "A relative of mine." He asked, "Have you performed the *Hajj* on your own behalf?" He replied, "No." Whereupon,

(٥٨٨) وَعَنْهُ أَنَّ النَّبِيَّ ﷺ سَمِعَ رَجُلاً يَقُولُ: لَبَّيْكَ عَنْ شُبْرُمَةَ، قَالَ: «مَنْ شُبْرُمَةُ؟» قَالَ: أَخٌ لِي، أَوْ قَرِيبٌ لِي، قَالَ: «حَجَجْتَ عَنْ نَفْسِكَ»؟ قَالَ: لَا، قَالَ: «حُجَّ عَنْ نَفْسِكَ، ثُمَّ حُجَّ عَنْ شُبْرُمَةَ». رَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ،

---

his death. [Review *Ahkām Al-Janā'iz*, by Shaykh Al-Albāni, Point 117, pgs. 168-178 for a full discussion of this issue.]

[1] We know from this that a man and a woman who are strangers to each other must not meet privately. A woman may not undertake a journey, regardless of whether it is long or short, whether for religious purposes or out of necessity – except with her husband or a *Mahram*. A *Mahram* is a person to whom she is so closely related that marriage is not permissible (such the father, brother, son and uncle, but not including cousins).

[2] "I answer Your Call" or "I am at Your Service."

he said, "Perform the *Hajj* on your own behalf, then perform it on behalf of Shubruma."[1] [Abū Dā'ud and Ibn Mājah reported it and Ibn Hibbān graded it as *Sahih* (authentic). Ahmad held that the stronger opinion is that it is *Mawqūf* (saying of a Companion)].

وَصَحَّحَهُ ابْنُ حِبَّانَ، وَالرَّاجِحُ عِنْدَ أَحْمَدَ وَقْفُهُ.

589. Narrated (Ibn 'Abbās) ﷺ: Allāh's Messenger ﷺ addressed us and said, "Allāh has made obligatory upon you the *Hajj* (pilgrimage)." Al-Aqra' bin Hābis[2] then stood up and asked, "Is it to be performed annually, O Messenger of Allāh?" He replied, "If I were to say that it is, it would have become obligatory. However, the *Hajj* is (to be performed) once (in a life-time), and any (*Hajj*) extra is voluntary." [Reported by *Al-Khamsa* except At-Tirmidhi and its basic meaning is in the *Sahih* of Muslim from the *Hadīth* of Abū Huraira (ﷺ)].

(٥٨٩) وَعَنْهُ قَالَ: خَطَبَنَا رَسُولُ اللهِ ﷺ فَقَالَ: «إِنَّ اللَّهَ كَتَبَ عَلَيْكُم الحَجَّ»، فَقَامَ الأَقْرَعُ بْنُ حَابِسٍ، فَقَالَ: أَفِي كُلِّ عَامٍ يَا رَسُولَ اللهِ!؟ قَالَ: «لَوْ قُلْتُهَا لَوَجَبَتْ. الحَجُّ مَرَّةٌ، فَمَا زَادَ فَهُوَ تَطَوُّعٌ». رَوَاهُ الخَمْسَةُ غَيْرَ التِّرْمِذِيِّ، وَأَصْلُهُ فِي مُسْلِمٍ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ.

Chapter 2
MIQAT

٢ - بَابُ المَوَاقِيتِ

590. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ appointed the following places as *Miqat* (the place for entering the state of *Ihrām*)[3] : Dhul Hulaifa[4] for the people of Al-Madīnah, Al-Juhfa for the people of Sham, Qarn Al-Manazil for the people of Najd, and Yalamlam for

(٥٩٠) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ وَقَّتَ لِأَهْلِ المَدِينَةِ ذَا الحُلَيْفَةِ، وَلِأَهْلِ الشَّامِ الجُحْفَةَ، وَلِأَهْلِ نَجْدٍ قَرْنَ المَنَازِلِ، وَلِأَهْلِ اليَمَنِ يَلَمْلَمَ، هُنَّ لَهُنَّ، وَلِمَنْ أَتَى عَلَيْهِنَّ مِنْ غَيْرِهِنَّ، مِمَّنْ أَرَادَ

[1] This *Hadīth* tells us that so long as one has not performed his own obligatory *Hajj*, he is not permitted to perform it on someone else's behalf, irrespective of whether or not he is strong enough (monetarily and physically) to perform his own pilgrimage. The majority of the *Imāms* are of this opinion.

[2] He was a Tamimi who was among the delegation of Banu Tamim that visited the Prophet ﷺ after the conquest of Makkah. He was one among the *Mu'allafati Qulūbuhum* (whose hearts were won for Islām and so given some *Sadaqa* to keep them firm in the fold of the religion). He was a respectable man in the *Jahiliya* (pre-Islamic era). He died during 'Umar's Caliphate.

[3] The special clothes worn by the pilgrim who intends to perform *Hajj* or *'Umrah*.

[4] *Dhul Hulaifa* is a name of a place that lies 6 or 7 miles from Al-Madīnah. Najd lexically means "the elevated land" and the same specifies the expanse of land between Tihama and Iraq. *Al-Juhfah* is a village between Al-Madinah and Makkah. It is the *Miqat* for the people of

the people of the Yemen. So, these *Meeqats* are for those living at those places; and for people of other regions who come through them – if they are intending to perform *Hajj* and *'Umrah*. Whoever is living within these *Meeqats* (on the way to Makkah) should enter the state of *Ihrām* from where he sets out from (i.e. his home); even the inhabitants of Makkah (enter *Ihrām*), from it (for Hajj only). [Agreed upon].

الحَجَّ وَالعُمْرَةَ، وَمَنْ كَانَ دُونَ ذٰلِكَ فَمِنْ حَيْثُ أَنْشَأَ، حَتَّى أَهْلُ مَكَّةَ مِنْ مَكَّةَ. مُتَّفَقٌ عَلَيْهِ.

591. Narrated 'Aisha ﷺ: The Prophet ﷺ appointed Dhāt 'Irq[1] as the place where the people of 'Irāq should enter the state of *Ihrām*. [Reported by Abū Dā'ud and An-Nasā'i]. Its basic meaning is reported by Muslim from the *Hadīth* of Jābir (ﷺ), except that its narrator doubted whether it is *Marfū'* (attributed to the Prophet).

(٥٩١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ النَّبِيَّ ﷺ وَقَّتَ لِأَهْلِ العِرَاقِ ذَاتَ عِرْقٍ. رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَأَصْلُهُ عِنْدَ مُسْلِمٍ مِنْ حَدِيثِ جَابِرٍ، إِلَّا أَنَّ رَاوِيَهُ شَكَّ فِي رَفْعِهِ.

Narrated in *Sahih Al-Bukhāri*: "It is 'Umar who appointed Dhāt 'Irq."

وَفِي صَحِيحِ البُخَارِيِّ: أَنَّ عُمَرَ هُوَ الَّذِي وَقَّتَ ذَاتَ عِرْقٍ.

Ahmad, Abū Dā'ud and At-Tirmidhi reported from Ibn 'Abbās (ﷺ): "The Prophet ﷺ appointed Al-'Aqīq[2] as the place where the people of the East should enter the state of *Ihrām*."

وَعِنْدَ أَحْمَدَ وَأَبِي دَاوُدَ وَالتِّرْمِذِيِّ عَنِ ابْنِ عَبَّاسٍ، أَنَّ النَّبِيَّ ﷺ وَقَّتَ لِأَهْلِ المَشْرِقِ العَقِيقَ.

Sham (Syria, Palestine, etc.) and Egypt. It is not in use today, and its people enter *Ihram* in a place before it called Rābigh. Qarnul-Manazil is a place adjacent to Tā'if which is now known as 'Sail'. Yalamlam is the name of a hill which lies at about a two-day-journey from Yemen. These are the places specified for pilgrims to enter the state of *Ihrām*. The pilgrims who live outside the limits of the places specified herein, must enter the state of *Ihrām* at these points. Those living within the limits of the region fringed by the said points, may enter the state of *Ihrām* from their respective places of residence. It is not necessary for them to go back to the *Miqāt* (the said points) to enter *Ihrām* there.

[1] The fact is that Dhat-'Irq was appointed as a *Miqāt* for the pilgrims coming from Iraq by the Prophet ﷺ himself, as the decision in regard to this matter was taken during *Hajjatul-Wada'* (the Farewell *Hajj* of the Prophet ﷺ). It is reported by Al-Bukhāri that 'Umar رضي الله عنه had appointed Dhat 'Irq as *Miqāt*, whereas the fact is that 'Umar رضي الله عنه merely re-affirmed it.

[2] Al-Aqīq is the name of a place which lies adjacent to Dhat-'Irq.

Chapter 3 THE MANNERS AND NATURE OF THE *IHRAM*

٣ - بَابُ وُجُوهِ الإِحْرَامِ وَصِفَتُهُ

592. Narrated 'Aisha ﷺ: We went out with Allāh's Messenger ﷺ in the year of the Farewell Pilgrimage[1] while some of us said the *Talbīya* (intention) for a *'Umrah*, some for *Hajj* and *'Umrah* (combined), and others for the *Hajj* (alone). But Allāh's Messenger ﷺ said the *Talbīya* for the *Hajj*. Those who made intentions for an *'Umrah*, finished the state of *Ihrām* upon arrival (and completing the rites of *'Umrah*); but those who made intention for the *Hajj* or who combined the *Hajj* and the *'Umrah* did not finish the state of *Ihrām* till *Yaum An-Nahr*[2] [Agreed upon].

(٥٩٢) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: خَرَجْنَا مَعَ رَسُولِ اللهِ ﷺ عَامَ حَجَّةِ الوَدَاعِ، فَمِنَّا مَنْ أَهَلَّ بِعُمْرَةٍ، وَمِنَّا مَنْ أَهَلَّ بِحَجٍّ وعُمْرَةٍ، وَمِنَّا مَنْ أَهَلَّ بِحَجٍّ، وَأَهَلَّ رَسُولُ اللهِ ﷺ بِالحَجِّ، فَأَمَّا مَنْ أَهَلَّ بِعُمْرَةٍ فَحَلَّ عِنْدَ قُدُومِهِ، وَأَمَّا مَنْ أَهَلَّ بِحَجٍّ، أَوْ جَمَعَ بَيْنَ الحَجِّ وَالعُمْرَةِ، فَلَمْ يَحِلُّوا حَتَّى كَانَ يَوْمُ النَّحْرِ. مُتَّفَقٌ عَلَيْهِ.

Chapter 4 THE *IHRAM* AND ITS RELATED ACTIVITIES

٤ - بَابُ الإِحْرَامِ وَمَا يَتَعَلَّقُ بِهِ.

593. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ did not raise his voice in the *Talbīya* except from (near) the mosque (of Dhul Hulaifa).[3] [Agreed upon].

(٥٩٣) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: مَا أَهَلَّ رَسُولُ اللهِ ﷺ إِلَّا مِنْ عِنْدِ المَسْجِدِ. مُتَّفَقٌ عَلَيْهِ.

594. Narrated Khallād[4] bin As-Sāib on

(٥٩٤) وَعَنْ خَلَّادِ بْنِ السَّائِبِ، عَنْ أَبِيهِ

[1] *Hajj* is of three kinds, namely *Ifrād*, *Tamattu'* and *Qirān*. In *Ifrād*, a pilgrim enters the state of *Ihrām* with the intention of performing *Hajj* only. While performing *Tamattu'*, a pilgrim enters the state of *Ihrām* at the point of *Miqāt* with the intention of performing *'Umrah* and then performs *Tawāf* and *Sa'y*. In case he has brought a sacrificial animal with him, he should not get out of his *Ihrām*. Otherwise, he should go out of his *Ihrām* after *Tawaf* and *Sa'y*. With the commencement of *Hajj* days, he must enter in the state of *Ihrām* again for the *Hajj*. In *Qirān*, a pilgrim enters the state of *Ihrām* with the intention of performing *'Umrah* and *Hajj* combined. According to some of the scholars, the residents of Makkah are not allowed to perform *Tamattu'* and *Qirān*. [See: Tafseer 2:196]

[2] The day of slaughtering the sacrificial animals, i.e, the 10th of Dhul-Hijja.

[3] This *Hadīth* clarifies that the Prophet ﷺ entered in the state of *Ihrām* near the mosque of Dhul Hulaifa. We are further informed that entering the state of *Ihrām* before approaching the *Miqāt* is prohibited. This negates the view of those who deem the act of entering *Ihrām* beforehand as correct.

[4] Khallād bin As-Sāib bin Khallād bin Suwaid Al-Ansāri Al-Khazraji is a reliable *Tābi'ī* of the

his father's[1] authority ؓ: Allāh's Messenger ﷺ said, "Jibrael (Gabriel) came to me and commanded me to order my Companions to raise their voices[2] in the *Talbīya*[3] ." [Reported by *Al-Khamsa*. At-Tirmidhi and Ibn Hibbān graded it *Sahih* (authentic)].

رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «أَتَانِي جِبْرِيلُ، فَأَمَرَنِي أَنْ آمُرَ أَصْحَابِي، أَنْ يَرْفَعُوا أَصْوَاتَهُمْ بِالإِهْلَالِ». رَوَاهُ الخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

595. Narrated Zaid bin Thābit ؓ: The Prophet ﷺ removed his (normal) clothing to put on his *Ibrām* and performed a *Ghusl* (complete bath).[4] [Reported by At-Tirmidhi who graded it *Hasan* (good)].

(٥٩٥) وَعَنْ زَيْدِ بْنِ ثَابِتٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ تَجَرَّدَ لِإِهْلَالِهِ، وَاغْتَسَلَ. رَوَاهُ التِّرْمِذِيُّ، وَحَسَّنَهُ.

596. Narrated Ibn 'Umar ؓ: Allāh's Messenger ﷺ was asked what the *Muhrim* (person in *Ibram*) may wear.[5] He said, "He should not wear a shirt, a turban, trousers, a hooded garment (*burnus*) or leather socks (*khuffs*), except someone who does not find sandals. In that case, he may wear leather socks, but he must cut them below the ankles. Likewise, you must not wear clothing which has been scented with saffron or *Wars*.[6] [Agreed upon, and the wording is Muslim's].

(٥٩٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ سُئِلَ مَا يَلْبَسُ المُحْرِمُ مِنَ الثِّيَابِ؟ قَالَ: «لَا يَلْبَسُ القَمِيصَ، وَلَا العَمَائِمَ، وَلَا السَّرَاوِيلَاتِ، وَلَا البَرَانِسَ، وَلَا الخِفَافَ، إِلَّا أَحَدٌ لَا يَجِدُ نَعْلَيْنِ فَلْيَلْبَسِ الخُفَّيْنِ، وَلْيَقْطَعْهُمَا أَسْفَلَ مِنَ الكَعْبَيْنِ، وَلَا تَلْبَسُوا شَيْئاً مِنَ الثِّيَابِ مَسَّهُ الزَّعْفَرَانُ، وَلَا الوَرْسُ». مُتَّفَقٌ عَلَيْهِ، واللَّفْظُ لِمُسْلِمٍ.

597. Narrated 'Aisha ؓ: I used to

(٥٩٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا

third generation.

[1] He is a *Sahābi* nicknamed Abū Sahla. He attended Badr and became Mu'āwiya's governor in Yemen. It is also said that 'Umar assigned him to Yemen. He died in 71 H.

[2] This *Hadīth* tells us that it is compulsory to pronounce *Talbīya* in a loud voice. Regarding women, there is difference of opinion among scholars whether they should pronounce the same with a loud voice or a subdued one, especially if their voice would be a source of temptation or attraction to men.

[3] The act of saying "*Labbaik Allāhumma Labbaik,* etc." (At Your Service O Allāh, at Your Service) during *Hajj*.

[4] This *Hadīth* tells us that the act of taking a bath for entering in the state of *Ibrām* is *Sunnah* (practice of the Prophet).

[5] Once all these garments are discarded, the only clothing left are the two sheets, and these two very sheets constitute the cloths of *Ibrām*. A woman may cover her head by a *Khimar* (head-dress) but may not cover her face with *Niqab* (face-veil). However, she should use her head covering to cover her face in the presence of strangers (men).

[6] A yellow colored perfume.

perfume[1] Allāh's Messenger ﷺ for his *Ihrām*[2] before he entered the state of *Ihrām*, and when he finished the *Ihrām*, before he circumambulated the Sacred House (Ka'ba). [Agreed upon].

قَالَتْ: كُنْتُ أُطَيِّبُ رَسُولَ اللهِ ﷺ لِإِحْرَامِهِ قَبْلَ أَنْ يُحْرِمَ، وَلِحِلِّهِ قَبْلَ أَن يَطُوفَ بِالبَيْتِ. مُتَّفَقٌ عَلَيْهِ.

598. Narrated 'Uthmān bin 'Affān رضي الله عنه: Allāh's Messenger ﷺ said: "One who is in the state of *Ihrām* should not marry, or give someone in marriage,[3] or make a proposal (to marry someone)." [Reported by Muslim].

(٥٩٨) وَعَنْ عُثْمَانَ بْنِ عَفَّانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا يَنْكِحُ المُحْرِمُ، وَلَا يُنْكِحُ، وَلَا يَخْطُبُ». رَوَاهُ مُسْلِمٌ.

599. Narrated Abū Qatāda Al-Ansāri رضي الله عنه regarding the story when he hunted a wild donkey and was not in the state of *Ihrām*: Allāh's Messenger ﷺ asked his companions who were in the state of *Ihrām*, "Did any one of you order him or suggest anything to him (regarding the hunting)." They replied, "No." He said, "Eat its remaining meat."[4] [Agreed upon].

(٥٩٩) وَعَنْ أَبِي قَتَادَةَ الأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي قِصَّةِ صَيْدِهِ الحِمَارَ الوَحْشِيَّ وَهُوَ غَيْرُ مُحْرِمٍ - قَالَ: فَقَالَ رَسُولُ اللهِ ﷺ لِأَصْحَابِهِ - وَكَانُوا مُحْرِمِينَ -: «هَلْ مِنْكُمْ أَحَدٌ أَمَرَهُ، أَوْ أَشَارَ إِلَيْهِ بِشَيْءٍ؟» قَالُوا: لَا، قَالَ: «فَكُلُوا مَا بَقِيَ مِنْ لَحْمِهِ». مُتَّفَقٌ عَلَيْهِ.

600. Narrated As-Sa'b bin Jaththāma Al-Laithi[5] رضي الله عنه: He presented to Allāh's Messenger ﷺ a wild donkey's (flesh)[6] when he was at Al-Abwā' or Waddān, but he rejected it and said, "We have only rejected it because we are in the state of *Ihrām*." [Agreed upon].

(٦٠٠) وَعَنِ الصَّعْبِ بْنِ جَثَّامَةَ اللَّيْثِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ أَهْدَى لِرَسُولِ اللهِ ﷺ حِمَاراً وَحْشِيًّا، وَهُوَ بِالأَبْوَاءِ أَوْ بِوَدَّانَ، فَرَدَّهُ عَلَيْهِ، وَقَالَ: «إِنَّا لَمْ نَرُدَّهُ عَلَيْكَ إِلَّا أَنَّا حُرُمٌ». مُتَّفَقٌ عَلَيْهِ.

---

[1] It thus becomes known to us through this *Hadīth* that perfume may be applied to one's body prior to entering in the state of *Ihrām,* and it does not matter if that fragrance remains on one's body after entering the state of *Ihrām*. Similarly, it is also permissible to apply perfume to one's body before performing *Tawāful-Wada'* (farewell circumambulation of the Ka'ba).

[2] The state of consecration for one intending to perform *Hajj* or *'Umrah*.

[3] A person in the state of *Ihrām* should not conduct a wedding of either a man or a woman or his own self or on the authority of someone else.

[4] This incident belongs to the year of the Treaty of Al-Hudaibiya. In case a *Halal* person (the one not in *Ihrām* state) hunts an animal with the intention of presenting it to a *Muhrim,* or a *Muhrim* in any way assisted him in hunting it – the meat of the game thus hunted becomes prohibited for the *Muhrim*. It is only allowed for him if the animal is hunted for a non-*Muhrim*, unaided by any *Muhrim,* and not intending it for a *Muhrim*.

[5] Sa'b bin Jaththāma Al-Laithi used to live at Waddān and Al-Abwā' and his *Hadīth* has been narrated by the people of Al-Hijaz. He died either during the caliphate of Abū Bakr or that of 'Uthmān.

[6] This *Hadīth* tells us that the Prophet ﷺ did not eat the meat of the hunted animal in the

601. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ said, "There are five living things which are all harmful and may be killed outside or inside the sacred areas: a scorpion, a kite, a crow, a rat, and a violent (biting) dog."[1] [Agreed upon].

(٦٠١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «خَمْسٌ مِنَ الدَّوَابِّ كُلُّهُنَّ فَواسِقُ، يُقْتَلْنَ فِي الحِلِّ وَالحَرَمِ: العَقْرَبُ، وَالحِدَأَةُ، وَالغُرَابُ، وَالفَأْرَةُ، وَالكَلْبُ العَقُورُ». مُتَّفَقٌ عَلَيْهِ.

602. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ had himself cupped (*al-Hijāmah*) while he was in the state of *Ihrām*. [Agreed upon].

(٦٠٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ احْتَجَمَ وَهُوَ مُحْرِمٌ. مُتَّفَقٌ عَلَيْهِ.

603. Narrated Ka'b bin 'Ujra[2] ﷺ: I was carried to Allāh's Messenger ﷺ and lice were falling over my face. He said, "I did not think that the pain had affected you to this extent as I see (now). Can you sacrifice a sheep?" I replied, "No." He then said, " [Shave your head and] Fast three days or feed six poor people a half *Sā'*[3] each [as compensation for shaving while in the state of *Ihram*]." [Agreed upon].

(٦٠٣) وَعَنْ كَعْبِ بْنِ عُجْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: حُمِلْتُ إِلَى رَسُولِ اللهِ ﷺ وَالقَمْلُ يَتَنَاثَرُ عَلَى وَجْهِي، فَقَالَ: «مَا كُنْتُ أُرَى الوَجَعَ بَلَغَ بِكَ مَا أَرَى، أَتَجِدُ شَاةً؟» قُلْتُ: لَا، قَالَ: «فَصُمْ ثَلَاثَةَ أَيَّامٍ، أَوْ أَطْعِمْ سِتَّةَ مَسَاكِينَ، لِكُلِّ مِسْكِينٍ نِصْفُ صَاعٍ». مُتَّفَقٌ عَلَيْهِ.

604. Narrated Abū Huraira ﷺ: When Allāh, the Most High, granted His Messenger (ﷺ) victory by the conquest of Makkah, Allāh's Messenger ﷺ stood up (to address the people). So, he

(٦٠٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَمَّا فَتَحَ اللَّهُ عَلَى رَسُولِهِ مَكَّةَ، قَامَ رَسُولُ اللهِ ﷺ فِي النَّاسِ، فَحَمِدَ اللَّهَ، وَأَثْنَى عَلَيْهِ، ثُمَّ قَالَ: «إِنَّ اللَّهَ تَعَالَى حَبَسَ عَنْ مَكَّةَ

state of *Ihrām* due to the fact that Sa'b bin Jaththāma رضي الله عنه did the hunting with the intention of presenting it to the Prophet ﷺ.

[1] The killing of these five animals, even within the precincts of the Sacred Mosque, is not a crime. Similarly, if someone kills the said animals in the state of *Ihrām* and within the precincts of the Sacred Mosque, he incurs no penalty (in terms of offering an animal sacrifice or charity). Based upon this precedence, some scholars have permitted the killing of all *Harām* animals (those whose meat is forbidden to be eaten in Islam) and have specified no penalty for their killing. In case a *Muhrim* kills an animal, after being attacked by it, he incurs no penalty.

[2] He was an eminent *Sahābi* from the tribe of Al-Bali and was an ally of the *Ansār*. He settled at Kufa and died at Al-Madīnah in 51 H. at the age of 75 years.

[3] From this we know that a *Muhrim* will be liable to pay *Fidya* (compensation) even if he shaves off his head with a legitimate excuse. *Fidya* is of three kinds: a) He should make an animal sacrifice, b) Observe three days of fasting, c) Feed six poor people – or giving them 1 kilogram (plus) of grain as a charity per person. The person has an option to choose between any one of these three types of *Fidya*, according to authentic *Hadith*.

praised Allāh and extolled Him. Then he said, "Allāh had withheld the Elephant[1] from Makkah and empowered His Messenger and the believers over it. (Fighting in it) has not been made lawful to anyone before me. And it has only been made lawful for me for an hour (portion) of a day. It will never be lawful to anyone after me. Therefore, its game is not to be chased (disturbed); its thorns are not to be uprooted; anything which falls (i.e. something lost) in it is lawful only to one who will announce it.[2] And whoever has someone (of his relatives) killed (in it), he will have the choice of the best of the two options."[3] Al-'Abbās said, "Except *Al-Idhkhir* (a kind of grass), O Messenger of Allāh, because we use it in our graves and houses." He said, "Except *Al-Idhkhir*."[4] [Agreed upon].

الفِيلَ، وَسَلَّطَ عَلَيْهَا رَسُولَهُ وَالمُؤْمِنِينَ، وَإِنَّهَا لَمْ تَحِلَّ لِأَحَدٍ كَانَ قَبْلِي، وَإِنَّمَا أُحِلَّتْ لِي سَاعَةً مِنْ نَهَارٍ، وَإِنَّهَا لَنْ تَحِلَّ لِأَحَدٍ بَعْدِي، فَلَا يُنَفَّرُ صَيْدُهَا، وَلَا يُخْتَلَى شَوْكُهَا، وَلَا يَحِلُّ سَاقِطَتُهَا إِلَّا لِمُنْشِدٍ. وَمَنْ قُتِلَ لَهُ قَتِيلٌ فَهُوَ بِخَيْرِ النَّظَرَيْنِ»، فَقَالَ العَبَّاسُ: إِلَّا الإِذْخِرَ، يَا رَسُولَ اللهِ! فَإِنَّا نَجْعَلُهُ فِي قُبُورِنَا وَبُيُوتِنَا، فَقَالَ: «إِلَّا الإِذْخِرَ». مُتَّفَقٌ عَلَيْهِ.

605. Narrated 'Abdullāh bin Zaid bin 'Asim ﷺ: Allāh's Messenger ﷺ said, "Ibrāhim declared Makkah sacred[5] and made supplication for its people; and I declare Al-Madīnah to be sacred as Ibrāhim declared Makkah sacred. And I make supplication for its *Sā'* and

(٦٠٥) وَعَنْ عَبْدِ اللهِ بْنِ زَيْدِ بْنِ عَاصِمٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِنَّ إِبْرَاهِيمَ حَرَّمَ مَكَّةَ، وَدَعَا لِأَهْلِهَا، وَإِنِّي حَرَّمْتُ المَدِينَةَ، كَمَا حَرَّمَ إِبْرَاهِيمُ مَكَّةَ؛ وَإِنِّي دَعَوْتُ فِي صَاعِهَا وَمُدِّهَا بِمِثْلِ مَا دَعَا بِهِ

[1] This story has been mentioned in the noble Qur'ān. It is stated that Abraha Al-Athram, the Christian king of Yemen attacked Makkah with a contingent of elephants with the intention of destroying the Ka'ba. The Quraishites could not resist him, hence they vacated Makkah and fled. Allāh sent against the invading army birds in flocks who had small pebbles in their beaks and talons. Whosoever was struck by these pebbles, through the torment sent by Allāh, perished. Abraha, along with his thundering legions was utterly doomed to devastation and thus Allāh the Exalted One saved His House from destruction.

[2] It means that if someone picks up a fallen object with the intention of taking it himself, it is forbidden. However, if he picks it up with the intention of making an announcement and restoring the same to it's rightful owner, that is permitted.

[3] This means that a person has two options. He may either accept *Diya* (the blood-money) or he may choose to retaliate by *Qisās* (taking the life of the murderer).

[4] *Idhkhir* is a kind of grass that is used in the process of melting down metals. The same is laid down on the roofs and floors of houses and is used for closing the gaps in the graves.

[5] The Prophet Ibrāhim pronounced Makkah a sanctuary and prayed for it's sustenance and livelihood. Similarly, Prophet Muhammad ﷺ pronounced the sanctity of Al-Madīnah and prayed for the sustenance and livelihood of its residents.

Mudd (its measures) (that they be blessed) with the like of what Ibrāhim supplicated for the people of Makkah." [Agreed upon].

إِبْرَاهِيمُ لِأَهْلِ مَكَّةَ». مُتَّفَقٌ عَلَيْهِ.

606. Narrated 'Ali bin Abū Tālib ﷺ: Allāh's Messenger ﷺ said, "Al-Madīnah is sacred from 'Air to Thaur."[1] [Reported by Muslim].

(٦٠٦) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «المَدِينَةُ حَرَامٌ مَا بَيْنَ عَيْرٍ إِلَى ثَوْرٍ». رَوَاهُ مُسْلِمٌ.

Chapter 5
THE NATURE OF THE *HAJJ* (PILGRIMAGE) AND ENTERING MAKKAH

٥ - بَابُ صِفَةِ الحَجِّ وَدُخُولِ مَكَّةَ

607. Narrated Jābir bin 'Abdullāh ﷺ: Allāh's Messenger ﷺ performed the *Hajj* (pilgrimage) and we went out with him. When we reached Dhul Hulaifa, Asmā' (ﷺ) daughter of 'Umais, gave birth, so Allāh's Messenger (ﷺ) said, "Take a bath, wrap your private parts with a cloth, and enter the state of *Ihrām*." Allāh's Messenger ﷺ prayed in the mosque, and then mounted Al-Qaswā[2] and when it stood erect with him on its back at Al-Baidā'[3], he raised his voice declaring Allāh's Oneness and saying, "I am at Your Service, O Allāh, at Your Service; You have no partner; at Your Service; praise and grace are Yours, and the dominion; You have no partner." When we came to the House[4] he touched the

(٦٠٧) عَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ حَجَّ، فَخَرَجْنَا مَعَهُ، حَتَّى إِذَا أَتَيْنَا ذَا الحُلَيْفَةِ فَوَلَدَتْ أَسْمَاءُ بِنْتُ عُمَيْسٍ، فَقَالَ: «اغْتَسِلِي، وَاسْتَثْفِرِي بِثَوْبٍ، وَأَحْرِمِي»، وَصَلَّى رَسُولُ اللهِ ﷺ فِي المَسْجِدِ، ثُمَّ رَكِبَ القَصْوَاءَ، حَتَّى إِذَا اسْتَوَتْ بِهِ عَلَى البَيْدَاءِ، أَهَلَّ بِالتَّوْحِيدِ: «لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ، لَبَّيْكَ لَا شَرِيكَ لَكَ لَبَّيْكَ، إِنَّ الحَمْدَ وَالنِّعْمَةَ لَكَ وَالمُلْكَ، لَا شَرِيكَ لَكَ»، حَتَّى إِذَا أَتَيْنَا البَيْتَ اسْتَلَمَ الرُّكْنَ، فَرَمَلَ ثَلَاثاً، وَمَشَى أَرْبَعاً، ثُمَّ أَتَى مَقَامَ إِبْرَاهِيمَ فَصَلَّى، ثُمَّ رَجَعَ إِلَى الرُّكْنِ، فَاسْتَلَمَهُ، ثُمَّ خَرَجَ مِنَ البَابِ إِلَى الصَّفَا، فَلَمَّا دَنَا مِنَ الصَّفَا، قَرَأَ

---

[1] 'Air عير and Thaur ثور are two mountains surrounding Al-Madīnah. 'Air is a well-known mountain south of Al-Madīnah and south west of Qubā' Mosque. Some people have a misunderstanding to the effect that the mount of Thaur belongs to Makkah. But the fact is that there is also a mountain in Al-Madīnah which is small and round shaped, situated in the north, beyond the mountain of Uhud, which is also known as Thaur.

[2] The name of the Prophet's she-camel.

[3] Baida stands for either forest or plains and there was a village also known as Baida. As mentioned earlier, the Prophet ﷺ started reciting *Talbīya* from near the mosque. This *Hadith* states that he began the same in Baida. The fact is that the first statement is correct. But, since this narrator saw the Prophet ﷺ reciting *Talbīya* in Baida, he concluded that the Prophet ﷺ had started reciting it beginning from Baida itself, whereas the fact is that he (the Prophet ﷺ) had already been reciting it (even prior to reaching Baida).

[4] The Ka'ba.

corner,[1] and ran three (times round the House)[2] and walked four (times round the House). Then he came to the station of Ibrāhim and prayed. He then returned to the corner and touched it, after which he went out by the gate to As-Safa, on coming near to which he recited, "Verily, As-Safa and Al-Marwa are among the signs appointed by Allāh,"[3] adding: "I begin with what Allāh began with." So he mounted As-Safa till he saw the House, then he faced the *Qiblah*, declared Allāh's Oneness, proclaimed His Greatness, and said, "Nothing is worthy of worship except Allāh Alone Who has no partner; to Him belongs the dominion, to Him praise is due, and He has power over everything; nothing is worthy of worship except Allāh Alone Who Alone has fulfilled His Promise, helped His slave and defeated the Confederates." He then made supplication in the course of that, saying such words three times. He next descended from As-Safa to Al-Marwa, and when he came down into the belly of the valley, he ran; and when he ascend from it, he walked till he reached Al-Marwa. There he did as he had done at As-Safa – the narrator reported the rest of the *Hadīth* – and it contains: When it was *Yaum At-Tarwiya*[4] they went towards Minā[5] ,

﴿إِنَّ ٱلصَّفَا وَٱلْمَرْوَةَ مِن شَعَآئِرِ ٱللَّهِ﴾ «أَبْدَأُ بِمَا بَدَأَ اللَّهُ بِهِ»، فَرَقِيَ الصَّفَا حَتَّى رَأَى الْبَيْتَ، فَاسْتَقْبَلَ الْقِبْلَةَ، فَوَحَّدَ اللَّهَ، وَكَبَّرَهُ، وَقَالَ: «لَا إِلَهَ إِلَّا اللَّهُ، وَحْدَهُ، لَا شَرِيكَ لَهُ، لَهُ الْمُلْكُ، وَلَهُ الْحَمْدُ، وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ، لَا إِلَهَ إِلَّا اللَّهُ، أَنْجَزَ وَعْدَهُ، وَنَصَرَ عَبْدَهُ، وَهَزَمَ الأَحْزَابَ وَحْدَهُ»، ثُمَّ دَعَا بَيْنَ ذَلِكَ قَالَ: مِثْلَ هَذَا ثَلَاثَ مَرَّاتٍ، ثُمَّ نَزَلَ مِنَ الصَّفَا إِلَى الْمَرْوَةِ، حَتَّى إِذَا انْصَبَّتْ قَدَمَاهُ فِي بَطْنِ الْوَادِي سَعَى، حَتَّى إِذَا صَعِدَ مَشَى إِلَى الْمَرْوَةِ، فَفَعَلَ عَلَى الْمَرْوَةِ كَمَا فَعَلَ عَلَى الصَّفَا، فَذَكَرَ الْحَدِيثَ، وَفِيهِ: فَلَمَّا كَانَ يَوْمُ التَّرْوِيَةِ تَوَجَّهُوا إِلَى مِنًى، وَرَكِبَ النَّبِيُّ ﷺ، فَصَلَّى بِهَا الظُّهْرَ وَالْعَصْرَ وَالْمَغْرِبَ وَالْعِشَاءَ وَالْفَجْرَ، ثُمَّ مَكَثَ قَلِيلاً حَتَّى طَلَعَتِ الشَّمْسُ، فَأَجَازَ حَتَّى أَتَى عَرَفَةَ، فَوَجَدَ الْقُبَّةَ قَدْ ضُرِبَتْ لَهُ بِنَمِرَةَ، فَنَزَلَ بِهَا، حَتَّى إِذَا زَالَتِ الشَّمْسُ أَمَرَ بِالْقَصْوَاءِ فَرُحِلَتْ لَهُ، فَأَتَى بَطْنَ الْوَادِي، فَخَطَبَ النَّاسَ، ثُمَّ أَذَّنَ، ثُمَّ أَقَامَ، فَصَلَّى الظُّهْرَ، ثُمَّ أَقَامَ فَصَلَّى الْعَصْرَ، وَلَمْ يُصَلِّ بَيْنَهُمَا شَيْئاً، ثُمَّ رَكِبَ حَتَّى أَتَى الْمَوْقِفَ، فَجَعَلَ بَطْنَ نَاقَتِهِ الْقَصْوَاءِ إِلَى

[1] In Arabic, *Rukn* stands for *Al-Hajar Al-Aswad* (the Black Stone) and *Istalām* implies touching it, and he also kissed it as mentioned in other authentic narrations.

[2] When the Prophet ﷺ arrived in Makkah along with his Companions to perform *'Umratul-Qada'* the Quraishites started spreading lies about the Muslims by saying that the Muslims have become emaciated and grown weak, as some kind of fever had seized them in Al-Madīnah. Upon hearing these slurs the Prophet ﷺ commanded his Companions to walk quickly (like jogging), to demonstrate to the Quraishites that they were not weak. Since that day onwards, the act of walking quickly in this fashion, in first three rounds of circumambulation (*Tawāf*), has become a *Sunnah* (legislated act).

[3] *Al-Baqarah*, 2: 158.

[4] The 8th day of the month of Dhul-Hijja when the pilgrims leave Makkah for Mina.

[5] The literal translation of 'Mina' is 'to fell, to drop'. Since the blood of sacrificial animals is shed here, it has come to be known as Mina.

and the Prophet ﷺ rode and prayed there *Az-Zuhr, Al-'Asr, Al-Maghrib, Al-'Ishā'* and *Al-Fajr* prayers. After that he waited a little till the sun rose; then he proceeded till he came to 'Arafa and found that the tent had been set up for him at Namira[1]. There he dismounted, and when the sun had passed the meridian, he ordered Al-Qaswā' to be brought; and when it was saddled for him, he went down into the valley and addressed the people. He then ordered the *Adhān* then the *Iqāma* to be uttered, and he prayed *Az-Zuhr* prayer; he then ordered the *Iqāma* to be uttered and prayed *Al-'Asr* prayer, without performing any voluntary prayer between the two. He then mounted (his she-camel) and came to the place of standing, making his she-camel Al-Qaswā' turn its back to the rocks[2] and having the path taken by those who went on foot[3] in front of him. He faced the *Qiblah* and remained standing till sunset when the yellow light (of sunset) had somewhat gone and the disc of the sun had disappeared. He then went quickly pulling the halter of Al-Qaswā' forcefully, so that its head was about to touch the front part of his saddle, gesturing with his right hand and saying, "O people, be tranquil, be tranquil," and whenever he happened to pass over an elevated tract of sand, he slightly loosened the halter so that it should climb up. When he came to Al-Muzdalifa, he prayed *Al-Maghrib* and *Al-'Ishā'* prayers with one *Adhān* and

الصَّخَرَاتِ، وَجَعَلَ جَبَلَ المُشَاةِ بَيْنَ يَدَيْهِ، وَاسْتَقْبَلَ القِبْلَةَ، فَلَمْ يَزَلْ وَاقِفاً حَتَّى غَرَبَتِ الشَّمْسُ، وَذَهَبَتِ الصُّفْرَةُ قَلِيلاً، حَتَّى إِذَا غَابَ القُرْصُ دَفَعَ، وَقَدْ شَنَقَ لِلْقَصْوَاءِ الزِّمَامَ، حَتَّى إِنَّ رَأْسَهَا لَيُصِيبُ مَورِكَ رَحْلِهِ، وَيقُولُ بِيَدِهِ اليُمْنَى: «يَا أَيُّهَا النَّاسُ! ٱلسَّكِينَةَ، ٱلسَّكِينَةَ»، وَكُلَّمَا أَتَى جَبَلاً أَرْخَى لَهَا قَلِيلاً حَتَّى تَصْعَدَ، حَتَّى أَتَى المُزْدَلِفَةَ، فَصَلَّى بِهَا المَغْرِبَ وَالعِشَاءَ، بِأَذَانٍ وَاحِدٍ وَإِقَامَتَيْنِ، وَلَمْ يُسَبِّحْ بَيْنَهُمَا شَيْئاً، ثُمَّ اضْطَجَعَ حَتَّى طَلَعَ الفَجْرُ، فَصَلَّى الفَجْرَ حِينَ تَبَيَّنَ لَهُ الصُّبْحُ، بِأَذَانٍ وَإِقَامَةٍ، ثُمَّ رَكِبَ حَتَّى أَتَى المَشْعَرَ الحَرَامَ، فَاسْتَقْبَلَ القِبْلَةَ، فَدَعَا، وَكَبَّرَ، وَهَلَّلَ، فَلَمْ يَزَلْ وَاقِفاً حَتَّى أَسْفَرَ جِدًّا، فَدَفَعَ قَبْلَ أَنْ تَطْلُعَ الشَّمْسُ، حَتَّى أَتَى بَطْنَ مُحَسِّرٍ، فَحَرَّكَ قَلِيلاً، ثُمَّ سَلَكَ الطَّرِيقَ الوُسْطَى الَّتِي تَخْرُجُ عَلَى الجَمْرَةِ الكُبْرَى، حَتَّى أَتَى الجَمْرَةَ الَّتِي عِنْدَ الشَّجَرَةِ، فَرَمَاهَا بِسَبْعِ حَصَيَاتٍ، يُكَبِّرُ مَعَ كُلِّ حَصَاةٍ مِنْهَا، مِثْلِ حَصَى الخَذْفِ، رَمَى مِن بَطْنِ الوَادِي، ثُمَّ انْصَرَفَ إِلَى المَنْحَرِ، فَنَحَرَ، ثُمَّ رَكِبَ رَسُولُ اللهِ ﷺ فَأَفَاضَ إِلَى البَيْتِ، فَصَلَّى بِمَكَّةَ الظُّهْرَ. رَوَاهُ مُسْلِمٌ مُطَوَّلاً.

[1] A well-known spot just before 'Arafāt where there is now a big mosque by that name.

[2] In Arabic, *As-Sakharāt* (الصخرات) simply mean stones. Here these imply the ones that are scattered underneath the Mount of Mercy (جبل الرحمة). This is the very place where the Prophet ﷺ stayed.

[3] ***Hablul-Mushāt*** (حبل المشاة): The region between the Namira Mosque and the Mount of Mercy (جبل الرحمة). The pilgrims had to traverse this region by walking on the sand.

two *Iqāma*[1] without performing any voluntary prayers between them.[2] He then laid down (asleep) till dawn and prayed *Al-Fajr* with an *Adhān* and an *Iqāma* when the (first) morning light was clear. He then mounted till he came to Al-Mash'ar Al-Harām[3] , he faced the *Qiblah*, supplicated Allāh, declared His Greatness and His Oneness, and kept standing till the day light was very clear. He then went quickly before the sun rose till he came to the valley of Muhassir.[4] He hastened the she-camel a little and following the middle road[5] which comes out at the big *Jamra*[6] , till he came to the *Jamra* which is beside the tree. At this he threw seven small pebbles, uttering the *Takbīr* each time he threw a pebble, and each pebble was as small as a chickpea. He threw them from the bottom of the valley, then went to the place of sacrifice and sacrificed. After that Allāh's Messenger ﷺ mounted, and went quickly to the House [performed *Tawaf*] and prayed *Az-Zuhr* prayer in Makkah. [Reported by Muslim through a long *Hadīth*].

[1] This *Hadīth* clarifies that when the two prayers are joined, one *Adhān* (call to the prayer) suffices them both. However *Iqāma* for both of the prayers must be different and pronounced separately for each one of them.

[2] It becomes known to us that when the two prayers are offered consecutively one after another, one should not offer any *Sunnah* (supererogatory prayer) or *Nafl* (voluntary prayer) in between them.

[3] The open space which lies between the two hills of Muzdalifa is known as Mash'ar-Al-Harām.

[4] It is situated between Muzdalifa and Mina.

[5] The pilgrims are instructed to traverse this valley quickly, regardless of whether a pilgrim happens to be walking or riding. There are two reasons justifying it:

a) The Companions of the Elephant were doomed to the Divine Punishment here and hence one must pass through this place tearfully and rapidly.

b) While performing *Hajj*, polytheists used to stay here and the Prophet ﷺ intended to oppose them in this act of theirs.

[6] *Jamra* means 'a heap of stones'. There are three *Jamarāt* and it is necessary to throw pebbles at them. The *Jamra* which is referred to here, is *Jamratal-'Aqaba*. It is *Mustahab* (desirable) to pick up seven pebbles from Muzdalifa to throw at *Jamratal-'Aqaba*.

608. Narrated Khuzaima bin Thabit[1] ﷺ: Whenever the Prophet ﷺ finished his *Talbiya* at a *Hajj* or an *'Umrah*, he asked Allāh for His good pleasure and for Paradise, and sought refuge in His Mercy from the Hell-Fire.[2] [Ash-Shafi'ī reported it through a weak chain of narrators].

(٦٠٨) وَعَنْ خُزَيْمَةَ بْنِ ثَابِتٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا فَرَغَ مِنْ تَلْبِيَتِهِ فِي حَجٍّ أَوْ عُمْرَةٍ سَأَلَ اللَّهَ رِضْوَانَهُ وَالجَنَّةَ، وَاسْتَعَاذَ بِرَحْمَتِهِ مِنَ النَّارِ. رَوَاهُ الشَّافِعِيُّ بِإِسْنَادٍ ضَعِيفٍ.

609. Narrated Jābir ﷺ: Allāh's Messenger ﷺ said, "I have sacrificed here, but the whole of Mina is a place of sacrifice, so sacrifice where you are staying. I have stood here, but all 'Arafa is a place for standing. I have stood here, but all *Jam*' (Al-Muzdalifa) is a place for standing.[3] [Reported by Muslim].

(٦٠٩) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «نَحَرْتُ هٰهُنَا، وَمِنًى كُلُّهَا مَنْحَرٌ، فَانْحَرُوا فِي رِحَالِكُمْ، وَوَقَفْتُ هٰهُنَا، وَعَرَفَةُ كُلُّهَا مَوْقِفٌ، وَوَقَفْتُ هٰهُنَا، وَجَمْعٌ كُلُّهَا مَوْقِفٌ». رَوَاهُ مُسْلِمٌ.

610. Narrated 'Aisha ﷺ: When the Prophet ﷺ came to Makkah, he entered it from the upper side and went out at the lower one.[4] [Agreed upon].

(٦١٠) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ لَمَّا جَاءَ إِلَى مَكَّةَ دَخَلَهَا مِنْ أَعْلَاهَا، وَخَرَجَ مِنْ أَسْفَلِهَا. مُتَّفَقٌ عَلَيْهِ.

611. Narrated Ibn 'Umar ﷺ: He (Ibn 'Umar ﷺ) never used to come to Makkah without spending the night at Dhi-Tuwā[5] till morning, after which he would bathe. He would mention this (practice) as being from the Prophet ﷺ. [Agreed upon].

(٦١١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّهُ كَانَ لَا يَقْدُمُ مَكَّةَ إِلَّا بَاتَ بِذِي طُوًى، حَتَّى يُصْبِحَ، وَيَغْتَسِلَ، وَيَذْكُرُ ذٰلِكَ عَنِ النَّبِيِّ ﷺ. مُتَّفَقٌ عَلَيْهِ.

[1] Ibn Al-Fakiha Al-Khatami Al-Ansāri Al-Ausi. He was nicknamed Abū 'Imarata. He witnessed Badr and the subsequent battles. He held the flag of Khatama during the conquest of Makkah and took part in the battle of Siffin with 'Ali and was killed in it.

[2] This has two meanings: The first one is that after pronouncing *Labbaik* each time, one should make supplications to Allāh for His willingness, His approval and the grant of Paradise. Secondly, one should make supplication to Allāh at the end of *Talbīya* which is concluded at the stone-throwing of *Jamratal-'Aqaba*.

[3] *Jam'* is another name of Muzdalifa. The whole of the plain of 'Arafāt is a standing place. Between noon of the ninth of Dhul-Hijja and dawn of the tenth of Dhul-Hijja, it is an obligation on the pilgrims to invariably spend some time in 'Arafāt. The one missing this fundamental constituent of *Hajj*, misses the *Hajj* itself. In another words, there is no *Hajj* without staying in 'Arafāt.

[4] The name of the upper side is *Ath-Thanīyatul-Ulya* and the lower side is *Ath-Thanīyatus-Sufla*.

[5] Dhi-Tuwā is the name of a place which lies within the limits of the sacred region and is near the city of Makkah.

612. Narrated Ibn 'Abbās ﷺ: He used to kiss the Black Stone and prostrate on it.[1] [Reported by Al-Hākim as *Marfū'* (attributed to the Prophet) and Al-Baihaqi as *Mawquf* (attributed to a Companion)].

(٦١٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّهُ كَانَ يُقَبِّلُ الحَجَرَ الأَسْوَدَ، وَيَسْجُدُ عَلَيْهِ. رَوَاهُ الحَاكِمُ مَرْفُوعاً، وَالبَيْهَقِيُّ مَوْقُوفاً.

613. Narrated (Ibn 'Abbās) ﷺ: The Prophet ﷺ ordered them to run three rounds[2] and walk four[3] (rounds), and walk between the two corners[4]. [Agreed upon].

(٦١٣) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أَمَرَهُمُ النَّبِيُّ ﷺ أَنْ يَرْمُلُوا ثَلَاثَةَ أَشْوَاطٍ وَيَمْشُوا أَرْبَعاً، مَا بَيْنَ الرُّكْنَيْنِ. مُتَّفَقٌ عَلَيْهِ.

614. Narrated Ibn 'Umar ﷺ: Whenever he went round the House in the first *Tawaf* (seven circuits), he used to run three rounds and walk four (rounds). A narration has: "I saw Allāh's Messenger ﷺ when he performed the circumambulation at the *Hajj* or the *'Umrah* immediately on his arrival, he used to run three times round the House and walk four (times). [Agreed upon].

(٦١٤) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُما: أَنَّهُ كَانَ إِذَا طَافَ بِالبَيْتِ الطَّوَافَ الأَوَّلَ خَبَّ ثَلَاثاً وَمَشَى أَرْبَعاً. وَفِي رِوَايَةٍ: رَأَيْتُ رَسُولَ اللهِ ﷺ إِذَا طَافَ فِي الحَجِّ أَوِ العُمْرَةِ أَوَّلَ مَا يَقْدُمُ فَإِنَّهُ يَسْعَى ثَلَاثَةَ أَطْوَافٍ بِالبَيْتِ وَيَمْشِي أَرْبَعَةً. مُتَّفَقٌ عَلَيْهِ.

615. Narrated (Ibn 'Umar) ﷺ: I have not seen Allāh's Messenger ﷺ touching anything in the House (Al-Ka'ba) other than the two *Yamani* Corners. [Reported by Muslim].

(٦١٥) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَمْ أَرَ رَسُولَ اللهِ ﷺ يَسْتَلِمُ مِنَ البَيْتِ غَيْرَ الرُّكْنَيْنِ اليَمَانِيَّيْنِ. رَوَاهُ مُسْلِمٌ.

616. Narrated 'Umar ﷺ: He kissed the Black Stone and said, "I know for sure that you are (merely) a stone, which can neither harm nor benefit. If it were not that I had seen Allāh's Messenger ﷺ kiss you, I would not have kissed you."[5] [Agreed upon].

(٦١٦) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّهُ قَبَّلَ الحَجَرَ الأَسْوَدَ، وَقَالَ: إِنِّي أَعْلَمُ أَنَّكَ حَجَرٌ، لَا تَضُرُّ وَلَا تَنْفَعُ، وَلَوْلَا أَنِّي رَأَيْتُ رَسُولَ اللهِ ﷺ يُقَبِّلُكَ مَا قَبَّلْتُكَ. مُتَّفَقٌ عَلَيْهِ.

---

[1] Prostrating upon the Black Stone does not mean that he (the Prophet ﷺ) made his prostration to the Black Stone itse It can imply two meanings: The first one is that he kissed the Black Stone and also set his rehead on it [which is a confirmed fact], and this may denote that such an act was don to perform the act of kissing to a perfection. Another meaning is that after completing the circumambulation of the Ka'ba, the Prophet ﷺ used to pray the two *Rak'a* of *Nafl* prayer near the Black Stone, behind Maqam Ibrahim.

[2] The word used in Arabic is *Ashwāt* which is the plural of *Shawt*. *Shawt* stands for one complete circumambulation (circling around) of the Ka'ba.

[3] Circumambulation of the Ka'ba.

[4] *Rukn Al-Yamāni* and *Rukn Al-Hajar Al-Aswad*.

[5] 'Umar رضي الله عنه said so because the Arabs had only recently turned away from

617. Narrated Abū Tufail[1] ﷺ: I saw Allāh's Messenger ﷺ performing *Tawaf* (circumambulation) of the House, touching the Corner (Black Stone) with a *Mibjan*[2] which he had, and kissing the *Mibjan*.[3] [Reported by Muslim].

(٦١٧) وَعَنْ أَبِي الطُّفَيْلِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: رَأَيْتُ رَسُولَ اللهِ ﷺ يَطُوفُ بِالبَيْتِ، وَيَسْتَلِمُ الرُّكْنَ بِمِحْجَنٍ مَّعَهُ، وَيُقَبِّلُ المِحْجَنَ. رَوَاهُ مُسْلِمٌ.

618. Narrated Ya'la bin Umaiya[4] ﷺ: Allāh's Messenger ﷺ performed *Tawaf* circumambulation) wearing a green mantle under his right armpit with the end over his left shoulder.[5] [Reported by *Al-Khamsa* except An-Nasā'i and At-Tirmidhi graded it *Sabib* (authentic)].

(٦١٨) وَعَنْ يَعْلَى بْنِ أُمَيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: طَافَ رَسُولُ اللهِ ﷺ مُضْطَبِعاً بِبُرْدٍ أَخْضَرَ. رَوَاهُ الخَمْسَةُ إِلَّا النَّسَائِيَّ، وَصَحَّحَهُ التِّرْمِذِيُّ.

619. Narrated Anas ﷺ: The one from among us who recited the *Talbīya* did so without any objection (from others), and the one from among us who pronounced the *Takbīr* did so without any objection (from others).[6] [Agreed upon].

(٦١٩) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ يُهِلُّ مِنَّا المُهِلُّ فَلَا يُنْكَرُ عَلَيْهِ، وَيُكَبِّرُ مِنَّا المُكَبِّرُ فَلَا يُنْكَرُ عَلَيْهِ. مُتَّفَقٌ عَلَيْهِ.

620. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ sent me (to Mina) with the women and children or he said, with

(٦٢٠) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: بَعَثَنِي النَّبِيُّ ﷺ فِي الثَّقَلِ، أَوْ

---

polytheism. During the days of *Jahiliya* (the era prior to the advent of Islam), they used to believe that the statues (which are made out of stone) possessed the strength and capability to benefit a human being. Hence, he said this to refute and contradict this false belief of the Arabs, fearing they might misunderstand his action.

[1] He is 'Aamir bin Wāthila Al-Laithi Al-Kināni. He lived the last eight years of the Prophet's lifetime. He died in Makkah in 100 H. or 102 H. or 110 H. and was the last *Sahābi* to die.

[2] A walking stick with a bent handle.

[3] This *Hadīth* informs us that if someone in unable to reach the Black Stone due to the heavy crowd around it, it is permissible for him to touch the same with a stick and then kiss the stick.

[4] He is Abū Safwān At-Tamimi Al-Makki, an ally of Quraish and a prominent *Sahābi* who became a Muslim during the conquest of Makkah. He witnessed the battles of Hunain, Tā'if and Tabuk and served Abū Bakr, 'Umar and 'Uthmān. He lived up to nearly the fifties of Al-Hijra.

[5] This *Hadīth* elaborates on the Prophet's (ﷺ) manner (*Al-Idtibā'*) of wearing the upper cloth (*Ridā*) while performing the arrival *Tawaf* for Hajj or 'Umrah. The Prophet ﷺ took the sheet from under his right armpit and placed it over his left shoulder, leaving the right shoulder bare. By doing so, he wanted to make a display of his health and strength. This act reflects the same wisdom exhibited in the act of running while circling the Ka'ba. This was not required after the dominance of Islam, but the act of the Prophet ﷺ became a *Sunnah* (legislated act) forever.

[6] One is permitted to pronounce *Takbīr* (*Allāhu Akbar*) but it is better to observe *Talbīya*.

the weak (members of his family)[1] from *Jam*' (Al-Muzdalifa) at night. [Agreed upon].

قَالَ: فِي الضَّعَفَةِ، مِنْ جَمْعٍ، بِلَيْلٍ. مُتَّفَقٌ عَلَيْهِ.

621. Narrated 'Aisha ﷺ: Sauda[2] (ﷺ) asked permission from Allāh's Messenger ﷺ to go on (to Mina) before him on the night of Al-Muzdalifa. She was slow moving i.e. heavy, so he gave her permission. [Agreed upon].

(٦٢١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: اَسْتَأْذَنَتْ سَوْدَةُ رَسُولَ اللهِ ﷺ لَيْلَةَ المُزْدَلِفَةِ أَنْ تَدْفَعَ قَبْلَهُ، وَكَانَتْ ثَبِطَةً، يَعْنِي ثَقِيلَةً، فَأَذِنَ لَهَا. مُتَّفَقٌ عَلَيْهِ.

622. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, to us "Do not throw (pebbles) at the *Jamra* till the sun rises."[3] [Reported by *Al-Khamsa* except An-Nasā'i and it has *Inqitā*' (a break in the chain of narrators)]

(٦٢٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ لَنَا رَسُولُ اللهِ ﷺ: «لَا تَرْمُوا الجَمْرَةَ حَتَّى تَطْلُعَ الشَّمْسُ». رَوَاهُ الخَمْسَةُ إِلَّا النَّسَائِيَّ، وَفِيهِ انْقِطَاعٌ.

623. Narrated 'Aisha ﷺ: The Prophet ﷺ sent Umm Salama (ﷺ) on the night (of *Al-Muzdalifa*) before the day of sacrifice, and she threw (pebbles) at the *Jamra* before dawn. She then hastened (to Makkah) and performed (*Tawaf*) *Al-Ifāda* (circumambulation of *Hajj*).[4] [Reported by Abū Dā'ud and its chain (of narrators) conforms with the conditions of Muslim].

(٦٢٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: أَرْسَلَ النَّبِيُّ ﷺ بِأُمِّ سَلَمَةَ لَيْلَةَ النَّحْرِ، فَرَمَتِ الجَمْرَةَ قَبْلَ الفَجْرِ، ثُمَّ مَضَتْ، فَأَفَاضَتْ. رَوَاهُ أَبُو دَاوُدَ، وَإِسْنَادُهُ عَلَى شَرْطِ مُسْلِمٍ.

624. Narrated 'Urwa bin Mudarris[5] ﷺ: Allāh's Messenger ﷺ said, "Whoever attended this prayer (*Al-Fajr*) with us, i.e. at Al-Muzdalifa; and stands with us

(٦٢٤) وَعَنْ عُرْوَةَ بْنِ مُضَرِّسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ شَهِدَ صَلَاتَنَا هَذِهِ، يَعْنِي بِالمُزْدَلِفَةِ، فَوَقَفَ مَعَنَا حَتَّى

[1] The ruling is that the pilgrim should spend the whole night in Muzdalifa, stay at Al-Mash'ar-Al-Harām after offering the morning prayer and then proceed to Mina. But it is permissible for the weak, the old, the sick and the women to depart from Muzdalifa after spending most of the night there. This is so that they may reach Mina and complete the obligatory act of stoning before the people reach there and it gets too crowded.

[2] She is *Ummul-Mu'minīn* (Mother of the Believers) Sauda bint Zam'a bin 'Abd Shams Al-Qurashiya Al-'Aamiriya. She became a Muslim in Makkah early and migrated with her husband to Abyssinia (Ethiopia) where he died. Then Allāh's Messenger ﷺ married her in Makkah after the death of Khadijah and before engaging 'Aisha ﷺ. She died in 55 H.

[3] People in general are not permitted to throw pebbles at *Jamrāt* before sunrise. However, the majority of scholars hold that those with legal excuse are allowed to do so.

[4] *Tawāf-Al-Ifāda* – also referred to as *Tawaf Az-Ziyāra* – is the one that is performed after the throwing of pebbles on the 10th of Dhul-Hijja. This is one of the fundamental constituents (*Rukn*) of *Hajj* and there is no *Hajj* without it.

[5] 'Urwa bin Mudarris bin Aus bin Haritha bin Lām Atta'i was a *Sahābi* who witnessed *Hajjatul-Wadā*' and settled at Kufa. He reported this *Hadīth*.

till we move on (to Mina); and he has stood at 'Arafa before this – during the night or the day – his pilgrimage will then be complete[1] and he will have fulfilled the rites.[2] [Reported by *Al-Khamsa*. At-Tirmidhi and Ibn Khuzaima graded it *Sahih* (authentic)].

نَدْفَع، وَقَدْ وَقَفَ بِعَرَفَةَ قَبْلَ ذَٰلِكَ لَيْلاً أَوْ نَهاراً، فَقَدْ تَمَّ حَجُّهُ، وَقَضَى تَفَثَهُ». رَوَاهُ ٱلْخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ خُزَيْمَةَ.

625. Narrated 'Umar ﷺ: The polytheist did not use to return (from Al-Muzdalifa) till the sun rose, and they would say, "Let the sun shine on Thabir."[3] The Prophet ﷺ acted differently from them, so he returned quickly (from Al-Muzdalifa) before the sun rose.[4] [Reported by Al-Bukhāri].

(٦٢٥) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: إِنَّ المُشْرِكِينَ كَانُوا لَا يُفِيضُونَ حَتَّى تَطْلُعَ الشَّمْسُ، وَيَقُولُونَ: أَشْرِقْ ثَبِيرُ! وَإِنَّ النَّبِيَّ ﷺ خَالَفَهُمْ، فَأَفَاضَ قَبْلَ أَنْ تَطْلُعَ الشَّمْسُ. رَوَاهُ البُخَارِيُّ.

626. Narrated Ibn 'Abbās and Usama bin Zaid[5] ﷺ: The Prophet ﷺ kept raising his voice in the *Talbīya* till he threw pebbles[6] at the *Jamrat-Al-'Aqaba*.[7] [Reported by Al-Bukhāri].

(٦٢٦) وَعَنِ ابْنِ عَبَّاسٍ وَأُسَامَةَ بْنِ زَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُم، قَالَا: لَمْ يَزَلِ النَّبِيُّ ﷺ يُلَبِّي حَتَّى رَمَى جَمْرَةَ العَقَبَةِ. رَوَاهُ البُخَارِيُّ.

627. Narrated 'Abdullāh bin Masūd ﷺ: With the House on his left and Mina on his right he threw seven pebbles at the

(٦٢٧) وَعَنْ عَبْدِ اللهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ جَعَلَ البَيْتَ عَن يَسَارِهِ، وَمِنًى

[1] The most important part of *Hajj* is standing at 'Arafat.

[2] *Tafath* means dirt and impurities. The said word implies the same because one gets his head shaven and his body washed of dirt and impurities after the completion of the main rite of *Hajj* (standing at 'Arafat). Hence, the *Hajj* of one who carries out these instructions is consummated and accomplished.

[3] The highest mountains in Makkah, and it is on the left of the road to Mina.

[4] The act of leaving Al-Muzdalifa before sunrise is regarded as *Mashru'* (required by the *Shari'ah*, Divine Law).

[5] Abū Muhammad or Abū Zaid Usama bin Zaid bin Hāritha bin Sharāhil Al-Kalbi, was the beloved one of Allāh's Messenger ﷺ, his manumitted slave and son of his manumitted slave. His mother was Umm Aiman who looked after the Prophet ﷺ in his childhood. The Prophet ﷺ appointed him few days before his death to lead an army including Abū Bakr and 'Umar while he was only 18 years old. However, that army was not dispatched due to the death of the Prophet ﷺ. Then, Abū Bakr dispatched it. Usama died after the death of 'Uthmān. It is also said he died in 54 H.

[6] One should pronounce the *Talbīya* continuously until he throws the pebbles at *Jamratal-'Aqaba*. The throwing of the first pebble marks the end of *Talbīya* according to the opinion of the majority of scholars. However, other authentic *Hadith* make clear that the *Talbīya* is discontinued with the completion of the stoning of *Jamratal-'Aqaba* – on the 10th of Dhul-Hijjah, as stated by Imam Ahmad.

[7] The stone pillar at Mina where the pilgrims first throw stones on the day of slaughtering the sacrificial animals (the 10th of Dhul-Hijjah).

Jamra and said, "This is the standing place of he upon whom *Sūrat Al-Baqarah*[1] was revealed." [Agreed upon].

عَنْ يَمِينِهِ، وَرَمَى الجَمْرَةَ بِسَبْعِ حَصَيَاتٍ، وَقَالَ: هَذَا مَقَامُ الَّذِي أُنْزِلَتْ عَلَيْهِ سُورَةُ البَقَرَةِ. مُتَّفَقٌ عَلَيْهِ.

628. Narrated Jābir ﷺ: Allāh's Messenger ﷺ threw pebbles at the *Jamra* on the Day of Sacrifice in the forenoon. As for the (other days of stoning) after that, (he would throw) when the sun had passed the meridian.[2] [Reported by Muslim].

(٦٢٨) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: رَمَى رَسُولُ اللهِ ﷺ الجَمْرَةَ يَوْمَ النَّحْرِ ضُحًى، وَأَمَّا بَعْدَ ذٰلِكَ، فَإِذَا زَالَتِ الشَّمْسُ. رَوَاهُ مُسْلِمٌ.

629. Narrated Ibn 'Umar ﷺ: He used to throw seven pebbles at the nearest *Jamra*[3] saying the *Takbīr* with the throwing of each one. He would then go forward, and come to a plain (level area of the valley).[4] Then, he would stand, face the *Qiblah*, making supplication and raising his hands, standing for a long time. Then, he would throw pebbles at the middle one. He would then go to the left and seek out a plain (level) area, and stand facing the *Qiblah*, making supplication raising hands and (again) standing for a long time. Then, he would throw pebbles at the *Jamratal-'Aqaba* from the bottom of the valley, but he did not stand beside it (to supplicate). Then, he would depart and say, "This is how I saw Allāh's Messenger ﷺ doing it." [Reported by Al-Bukhāri].

(٦٢٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّهُ كَانَ يَرْمِي الجَمْرَةَ الدُّنْيَا بِسَبْعِ حَصَيَاتٍ، يُكَبِّرُ عَلَى إِثْرِ كُلِّ حَصَاةٍ، ثُمَّ يَتَقَدَّمُ، ثُمَّ يُسْهِلُ، فَيَقُومُ، فَيَسْتَقْبِلُ القِبْلَةَ، فَيَقُومُ طَوِيلاً، وَيَدْعُو، فَيَرْفَعُ يَدَيْهِ، ثُمَّ يَرْمِي الوُسْطَى، ثُمَّ يَأْخُذُ ذَاتَ الشِّمَالِ، فَيُسْهِلُ، وَيَقُومُ مُسْتَقْبِلَ القِبْلَةِ، ثُمَّ يَدْعُو، فَيَرْفَعُ يَدَيْهِ، وَيَقُومُ طَوِيلاً، ثُمَّ يَرْمِي جَمْرَةَ ذَاتِ العَقَبَةِ، مِنْ بَطْنِ الوَادِي، وَلَا يَقِفُ عِنْدَهَا، ثُمَّ يَنْصَرِفُ، فَيَقُولُ: هٰكَذَا رَأَيْتُ رَسُولَ اللهِ ﷺ يَفْعَلُهُ. رَوَاهُ البُخَارِيُّ.

---

[1] The Prophet ﷺ mentioned the revelation of *Sūrat Al-Baqarah* because its Verses contain most of the rulings and instructions about *Hajj*.

[2] One must complete the act of throwing pebbles before *Zawāl* (sun decline, noon) on the day of *'Eid*. In case one fails to do so during the first part of the day, he must refrain from throwing pebbles at the time when the sun is directly over head (noon). After the sun passes the meridian, the above ritual may be performed. On the 11th, 12th and 13th the stoning may only be done after *Zawāl* (at the beginning of the time of the noon prayer).

[3] The Arabic word *Dunya* may be translated as 'near'. Since the same is located near the Khaif Mosque, it is called *Jamratud-Dunya*. The same is also known as *Jamratul-Ula* or *Jamratus-Sughra*. This is done on the 11th, 12th and 13th of Dhul-Hijja.

[4] Here *Sahl* is an Arabic word used for a soft piece of land or a plain. This implies that the Prophet ﷺ, did not stand there after throwing pebbles at *Jamra*, but came out in the open, stood there at ease and then made supplications to Allāh.

630. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "O Allāh, have mercy on those who shave (the heads)." They said: "And those who cut short (their hair),[1] O Allāh's Messenger." He said in the third (supplication), "And those who cut short (their hair)." [Agreed upon].

(٦٣٠) وَعَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «اللَّهُمَّ ارْحَمِ الْمُحَلِّقِينَ»، قَالُوا: وَالْمُقَصِّرِينَ، يَا رَسُولَ اللهِ! قَالَ فِي الثَّالِثَةِ: «وَالْمُقَصِّرِينَ». مُتَّفَقٌ عَلَيْهِ.

631. Narrated 'Abdullāh bin 'Amr bin Al-Aas ﷺ: Allāh's Messenger ﷺ stopped during the Farewell Pilgrimage, and the people began asking him. A man said, "Unknowingly, I shaved (my head) before sacrificing." He replied, "Sacrifice, for there is no harm (sin)." Another came and said, "Unknowingly, I sacrificed before throwing the pebbles." He replied, "Throw, for there is no harm (sin)." He was not asked about anything which had been done before or after its proper time, during that day, except that he said, "Do it for there is no harm (sin).[2]" [Agreed upon].

(٦٣١) وَعَنْ عَبْدِ اللهِ بْنِ عَمْرِو بْنِ الْعَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ وَقَفَ فِي حَجَّةِ الْوَدَاعِ، فَجَعَلُوا يَسْأَلُونَهُ، فَقَالَ رَجُلٌ: لَمْ أَشْعُرْ، فَحَلَقْتُ قَبْلَ أَنْ أَذْبَحَ، قَالَ: «اذْبَحْ وَلَا حَرَجَ»، وَجَاءَ آخَرُ فَقَالَ: لَمْ أَشْعُرْ، فَنَحَرْتُ قَبْلَ أَنْ أَرْمِيَ، قَالَ: «ارْمِ وَلَا حَرَجَ»، فَمَا سُئِلَ يَوْمَئِذٍ عَنْ شَيْءٍ قُدِّمَ وَلَا أُخِّرَ إِلَّا قَالَ: «افْعَلْ وَلَا حَرَجَ». مُتَّفَقٌ عَلَيْهِ.

632. Narrated Miswar bin Makhrama[3] ﷺ: Allāh's Messenger ﷺ sacrificed before shaving (his head), and ordered his Companions to do the same. [Reported by Al-Bukhāri].

(٦٣٢) وَعَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ نَحَرَ قَبْلَ أَنْ يَحْلِقَ، وَأَمَرَ أَصْحَابَهُ بِذٰلِكَ. رَوَاهُ الْبُخَارِيُّ.

633. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ said, "When you have thrown (the pebbles) and shaven (your hair), (the

(٦٣٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا رَمَيْتُمْ

[1] It is important to have a haircut after performing either *Hajj* or *'Umrah*. Both the shaving of the head and the shortening of one's head hairs are permissible, but a shaving is preferable.

[2] The pilgrims have four obligations on the *'Eid* day (10th Dhul-Hijja). The first one is to throw pebbles at *Jamra* (*Al-'Aqaba*), then performing an animal sacrifice, then the shaving of one's head and finally the circumambulation of the House of Allāh. This circumambulation is called *Tawāfaz-Ziyāra* or *Tawāfal-Ifāda*. The respective order of these four acts according to the Islamic law is the same as mentioned here. The observance of this order is *Sunnah* (the Prophet's practice). There is no harm if this order is not followed due to ignorance. However, some scholars consider ignoring this order deliberately, without excuse, as sinful, even if it incurs no penalty.

[3] Al-Miswar bin Makhrama is a Zuhri and a Qurashi. He was among the virtuous people. He moved to Makkah after the killing of 'Uthmān. He was hit and killed by a missile while praying during the siege of Makkah by Yazid bin Mu'āwiya in the year 64 H.

use of) perfume and everything else except women[1] becomes lawful for you." [Reported by Ahmad and Abū Dā'ud. There is weakness in its chain of narrators].

وَحَلَقْتُمْ، فَقَدْ حَلَّ لَكُمُ الطِّيبُ، وَكُلُّ شَيْءٍ، إِلَّا النِّسَاءَ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَفِي إِسْنَادِهِ ضَعْفٌ.

634. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ said, "Shaving is not a duty laid on women,[2] but the duty upon women is to cut short their hair." [Abū Dā'ud reported it with a *Hasan* (good) chain of narrators].

(٦٣٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَيْسَ عَلَى النِّسَاءِ حَلْقٌ، وَإِنَّمَا يُقَصِّرْنَ». رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ.

635. Narrated Ibn 'Umar ﷺ: 'Abbās bin 'Abdul-Muttalib (ﷺ) asked permission from Allāh's Messenger ﷺ to spend in Makkah the nights which were spent at Mina, on account of his office of supplying water (to the pilgrims in Makkah), so he gave him permission.[3] [Agreed upon].

(٦٣٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ العَبَّاسَ بْنَ عَبْدِ المُطَّلِبِ اسْتَأْذَنَ رَسُولَ اللهِ ﷺ أَن يَبِيتَ بِمَكَّةَ لَيَالِيَ مِنًى، مِنْ أَجْلِ سِقَايَتِهِ، فَأَذِنَ لَهُ. مُتَّفَقٌ عَلَيْهِ.

636. Narrated 'Aasim bin 'Adi[4] ﷺ: Allāh's Messenger ﷺ excused the herdsmen of camels from spending the nights at Mina; he allowed them to throw (pebbles) on the Day of Sacrifice (10th), then throw for the next day (11th) and the day after (12th) together (on the 12th); then to throw on the day of dispersal (from Mina, i.e. 13th). [Reported by *Al-Khamsa*. At-Tirmidhi and Ibn Hibbān graded it *Sahih* (authentic)].

(٦٣٦) وَعَنْ عَاصِمِ بْنِ عَدِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ أَرْخَصَ لِرُعَاةِ الإِبِلِ فِي البَيْتُوتَةِ عَنْ مِنًى، يَرْمُونَ يَوْمَ النَّحْرِ، ثُمَّ يَرْمُونَ الغَدَ وَمِنْ بَعْدِ الغَدِ لِيَوْمَيْنِ، ثُمَّ يَرْمُونَ يَومَ النَّفْرِ. رَوَاهُ الخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

637. Narrated Abū Bakra ﷺ: Allāh's Messenger ﷺ gave us a *Khutba*

(٦٣٧) وَعَنْ أَبِي بَكْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ

---

[1] This clarifies that after the throwing of pebbles at *Jamratal-'Aqaba* and the shaving of one's head, all the restrictions are lifted thereof except sexual intercourse with one's spouse. That is only allowed after performing *Tawāfal-Ifāda*.

[2] From this it is known to us that women need not shave their heads, but they should cut something from the tips (ends) of their braids.

[3] It is *Wājib* (compulsory) to spend the nights in Mina. In case one is unable to spend the whole night, he should at least be there for the majority of the night.

[4] He is nicknamed Abū 'Ubaidullāh or Abū 'Amr and was an ally of Banu 'Amr bin 'Auf of the *Ansār*. He witnessed the battle of Badr and the later battles. He was the commander of Al-'Aaliya tribes during the battle of Badr and so the Prophet ﷺ gave him one portion of the booties. He died in 45 H. It is also said that he was martyred during the battle of Al-Yamama at the age of 120 years.

(religious talk – sermon) on the Day of Sacrifice. The narrator reported the rest of the *Hadīth*. [Agreed upon].

قَالَ: خَطَبَنَا رَسُولُ اللهِ ﷺ يَوْمَ النَّحْرِ، اَلْحَدِيثَ. مُتَّفَقٌ عَلَيْهِ.

638. Narrated Sarrā' bint Nabhān[1] ﵁: Allāh's Messenger ﷺ addressed us on the day after the Day of Sacrifice[2] and said, "Is this not the middle day of the *Tashrīq* days?" The narrator reported the rest of the *Hadīth*. [Abū Dā'ud reported it with a *Hasan* (good) chain of narrators].

(٦٣٨) وَعَنْ سَرَّاءَ بِنْتِ نَبْهَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: خَطَبَنَا رَسُولُ اللهِ ﷺ يَومَ الرُّءُوسِ فَقَالَ: «أَلَيْسَ هَذَا أَوْسَطَ أَيَّامِ التَّشْرِيقِ؟» الحَدِيثَ. رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ.

639. Narrated 'Aisha ﵂: The Prophet ﷺ said to her, "Your circumambulation of the House and your running between As-Safa and Al-Marwa are sufficient for your *Hajj* and *'Umrah*.[3] [Reported by Muslim].

(٦٣٩) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ قَالَ لَهَا: «طَوَافُكِ بِالبَيْتِ، وَسَعْيُكِ بَيْنَ الصَّفَا وَالمَرْوَةِ، يَكْفِيكِ لِحَجِّكِ وَعُمْرَتِكِ». رَوَاهُ مُسْلِمٌ.

640. Narrated Ibn 'Abbās ﵄: The Prophet ﷺ did not run in the seven (circuits)[4] he made when he returned to Makkah (for *Tawafal-Ifāda*). [Reported by *Al-Khamsa* except At-Tirmidhi; Al-Hākim graded it *Sahih* (authentic)].

(٦٤٠) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ لَمْ يَرْمُلْ فِي السَّبْعِ الَّذِي أَفَاضَ فِيهِ. رَوَاهُ الخَمْسَةُ إِلَّا التِّرمِذِيَّ، وَصَحَّحَهُ اَلْحَاكِمُ.

641. Narrated Anas ﵁: The Prophet ﷺ prayed *Az-Zuhr*, *Al-'Asr*, *Al-Maghrib* and *Al-'Ishā'* prayers – and then slept – at Al-Muhassab[5] [on the 13th of Dhul-Hijjah]. He then rode to the House (Al-Ka'ba) and performed the (Farewell) *Tawaf* (circumambulation).[6]

(٦٤١) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ صَلَّى الظُّهْرَ وَالعَصْرَ وَالمَغْرِبَ وَالعِشَاءَ، ثُمَّ رَقَدَ رَقْدَةً بِالمُحَصَّبِ، ثُمَّ رَكِبَ إِلَى البَيْتِ، فَطَافَ بِهِ. رَوَاهُ البُخَارِيُّ.

[1] Sarrā' bint Nabhān Al-Ghanawiya is a *Sahābiya* and Rabi'a bin Abū 'Abdur-Rahmān narrated the *Hadīth* from her.

[2] *Yaumur-Ru'oos* (day of heads) is the name of the day following the *'Eid* day.

[3] This *Hadīth* informs us that performing one *Tawāf* and one *Sa'y* each, suffices for both *'Umrah* and *Hajj* for a pilgrim who is doing *Hajj Qirān*. Conversely, the one who is intending a *Hajj Tamattu'* will, however, have to perform two *Tawāf* and two *Sa'y* each separately.

[4] We thus know that there is no *Raml* (running) either in *Tawāfal-Ifāda* or *Tawāfal-Wadā'*. *Raml* is performed in *Tawāfal-Qudūm* only. *Tawāfal-Qudūm* is the one that is performed upon entering Makkah (upon arrival from ones land). One should also bear in mind that *Raml* (running) is meant for males only and not females.

[5] Muhassab is a mountain passage closer to Mina than to Makkah. It is known as Batha and Khaif Banu Kināna, and it opens out to Al-Abtah.

[6] This is *Tawāfal-Wadā'* which is performed at the time of departing from Makkah.

[Reported by Al-Bukhāri].

642. Narrated 'Aisha ﷺ: She was not doing that i.e., stopping at Al-Abtah, explaining that Allāh's Messenger ﷺ only stopped there because it was resting place from which it was easier for him to depart from.[1] [Reported by Muslim].

(٦٤٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّهَا لَمْ تَكُنْ تَفْعَلُ ذٰلِكَ - أَيِ النُّزُولَ بِالأَبْطَحِ - وَتَقُولُ: إِنَّمَا نَزَلَهُ رَسُولُ اللهِ ﷺ لِأَنَّهُ كَانَ مَنْزِلاً أَسْمَحَ لِخُرُوجِهِ. رَوَاهُ مُسْلِمٌ.

643. Narrated Ibn 'Abbās ﷺ: The people were commanded to make the House (*Tawāfal-Wadā'*) their last act (before leaving Makkah), except that the woman in menses was exempted.[2] [Agreed upon].

(٦٤٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أُمِرَ النَّاسُ أَن يَكُونَ آخِرُ عَهْدِهِمْ بِالبَيْتِ، إِلَّا أَنَّهُ خُفِّفَ عَنِ الحَائِضِ. مُتَّفَقٌ عَلَيْهِ.

644. Narrated Ibn Zubair[3] ﷺ: Allāh's Messenger ﷺ said: "One prayer in this mosque of mine is better than a thousand elsewhere, except *Al-Masjid Al-Harām* (the Sacred Mosque in Makkah); and one prayer in the Sacred Mosque is better than a prayer in this mosque of mine by a hundred prayers."[4] [Reported by Ahmad and Ibn Hibbān graded it *Sahih* (authentic)].

(٦٤٤) وَعَنِ ابْنِ الزُّبَيْرِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «صَلَاةٌ فِي مَسْجِدِي هَذَا، أَفْضَلُ مِنْ أَلْفِ صَلَاةٍ فِيمَا سِوَاهُ، إِلَّا المَسْجِدَ الحَرَامَ، وَصَلَاةٌ فِي المَسْجِدِ الحَرَامِ، أَفْضَلُ مِنْ صَلَاةٍ فِي مَسْجِدِي هَذَا بِمِائَةِ صَلَاةٍ». رَوَاهُ أَحْمَدُ وَصَحَّحَهُ ابْنُ حِبَّانَ.

[1] When leaving for Al-Madīnah.

[2] This is *Tawāfal-Wadā'* (farewell circumambulation of the Ka'ba), which is compulsory (*Wājib*) according to all the *Imāms* except Imām Mālik . However, the menstruating women are exempted from it. Anyone missing it, is liable to make an animal sacrifice.

[3] He is Abū Bakr 'Abdullāh bin Az-Zubair bin Al-'Awwām Al-Qurashi Al-Asadi. His mother Asma bint Abū Bakr migrated to Al-Madīnah while pregnant and gave birth to him at Qubā' and he thus became the first baby to be born after the *Hijra*. He fasted and prayed a lot, was a noble man who did not accept to be wronged and a fierce fighter. He was also eloquent, accepted that which was right, and used to take care of his next of kins. He was sworn as a *Khalifa* after the death of Yazid bin Mu'āwiya in 64 H. and so he conquered Al-Hijāz, the two 'Irāqs, Yemen, Egypt and most of the Shām. Al-Hajjāj bin Yusūf Ath-Thaqafi sieged him in Makkah where he was martyred and crucified in the month of Jumada Al-Ukhra 73 H.

[4] It is reported in *Tabarāni* that a prayer offered in Al-Aqsa Mosque (*Baitul-Maqdis*) shall be rewarded five hundred times; and the one offered in the Mosque of the Prophet ﷺ shall be rewarded a thousand times; whereas the one offered in *Al-Masjidal-Harām* (the House of Allāh) shall be rewarded a hundred thousand times.

Chapter 6
MISSING THE *HAJJ* (PILGRIMAGE) AND BEING DETAINED

٦ - بَابُ الفَوَاتِ وَالإِحْصَارِ

645. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ had been detained,[1] so he shaved his head, had intercourse with his wives and sacrificed his animals. Then he performed the *'Umrah* in the following year. [Reported by Al-Bukhāri].

(٦٤٥) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما قَالَ: قَدْ أُحْصِرَ رَسُولُ اللهِ ﷺ، فَحَلَقَ رَأْسَهُ، وَجَامَعَ نِسَاءَهُ، وَنَحَرَ هَدْيَهُ، حَتَّى اعْتَمَرَ عاماً قَابلاً. رَوَاهُ البُخَارِيُّ.

646. Narrated 'Aisha ﷺ: The Prophet ﷺ went in to visit Dubā'a[2] bint Zubair bin Abdul-Muttalib ﷺ and she said, "O Allāh's Messenger, I have intended to perform the pilgrimage, but I am suffering from pain." The Prophet ﷺ said, "Perform the pilgrimage, but make a condition (*shart*) that 'the place where I will get out of the state of *Ihrām* will be where You (Allāh) restrain me.' " [Agreed upon].

(٦٤٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: دَخَلَ النَّبِيُّ ﷺ عَلَى ضُبَاعَةَ بِنْتِ الزُّبَيْرِ ابْنِ عَبْدِ المُطَّلِبِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، فَقَالَتْ: يَا رَسُولَ اللهِ! إِنِّي أُرِيدُ الحَجَّ، وَأَنَا شَاكِيَةٌ، فَقَالَ النَّبِيُّ ﷺ: «حُجِّي وَاشْتَرِطِي أَنَّ مَحِلِّي حَيْثُ حَبَسْتَنِي». مُتَّفَقٌ عَلَيْهِ.

647. Narrated 'Ikrima[3] from Al-Hajjāj bin 'Amr Al-Ansāri ﷺ: Allāh's Messenger ﷺ said, "Whoever breaks a leg or becomes lame he (may) come out of the state of *Ihrām*. However, he must perform the pilgrimage the following year." 'Ikrima said, "I asked Ibn 'Abbās

(٦٤٧) وَعَنْ عِكْرِمَةَ عَنِ الحَجَّاجِ بْنِ عَمْرٍو الأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ كُسِرَ أَوْ عَرِجَ فَقَدْ حَلَّ، وَعَلَيْهِ الحَجُّ مِنْ قَابِلٍ»، قَالَ عِكْرِمَةُ: فَسَأَلْتُ ابْنَ عَبَّاسٍ وَأَبَا هُرَيْرَةَ عَنْ ذٰلِكَ، فَقَالَا:

[1] What are the factors that may be regarded as a hindrance or an impediment on the way to one's performing the pilgrimage? The majority of scholars are of the opinion that anything interfering with the pilgrim causes a hindrance, whether it happens to be an enemy, disease, fright or inability to travel. Some maintain that *Ihsār* (hindrance) is only caused due to an enemy who is a disbeliever. There is a difference of opinion among the scholars in regard to the sacrifice to be offered by such a stranded pilgrim. The majority are of the view that one must slaughter the sacrificial animal exactly at the same place where one gets out of the state of *Ihrām* whether that place lies within the limits of the sacred region or outside it.

[2] She was called Umm Hakim Dubā'a bint Az-Zubair bin 'Abdul-Muttalib bin Hāshim bin 'Abd-Manaf, the daughter of the Prophet's uncle. She was married to Al-Miqdād bin Al-Aswad for whom she bore 'Abdullāh and Karima. She died during 'Ali's Caliphate.

[3] 'Ikrima was called Abū 'Abdullāh 'Ikrima Al-Madani, the manumitted slave of 'Abdullāh bin 'Abbās. He descended from the Barbar and was one of the learned *Imāms*, and among the *Fiqh* scholars of Makkah. He was among the middle *Tābi'īn* (students of the Companions) and probably died in Al-Madīnah in 107 H. at the age of 80 years.

صَدَقَ. رَوَاهُ الخَمْسَةُ، وَحَسَّنَهُ التِّرْمِذِيُّ.

قَالَ مُصَنِّفُهُ - حَافِظُ العَصْرِ، قَاضِي القُضَاةِ أَبُو الفَضْلِ أَحْمَدُ بْنُ عَلِيِّ بْنِ حَجَرٍ الكِنَانِيُّ العَسْقَلَانِيُّ المِصْرِيُّ، أَبْقَاهُ اللَّهُ فِي خَيْرٍ -: آخِرُ الجُزْءِ ٱلأَوَّلِ، وَهُوَ النِّصْفُ مِنْ هٰذَا الكِتَابِ المُبَارَكِ، قَالَ: وَكَانَ الفَرَاغُ مِنْهُ فِي ثَانِيَ عَشَرَ شَهْرِ رَبِيعٍ الأَوَّلِ سَنَةَ سَبْعٍ وَعِشْرِينَ وَثَمَانِمِائَةٍ، وَهُوَ آخِرُ رُبْعِ العِبَادَاتِ، يَتْلُوهُ فِي الجُزْءِ الثَّانِي كِتَابُ البُيُوعِ. وَصَلَّى اللَّهُ عَلَى سَيِّدِنَا مُحَمَّدٍ وَآلِهِ وَصَحْبِهِ وَسَلَّمَ تَسْلِيماً كَثِيراً دَائِماً أَبَداً. غَفَرَ اللَّهُ لِكَاتِبِهِ وَلِوَالِدَيْهِ وَلِكُلِّ المُسْلِمِينَ، وَحَسْبُنَا اللَّهُ وَنِعْمَ الوَكِيلُ.

and Abū Huraira about that, and they replied, 'He has spoken the truth.' " [Reported by ***Al-Khamsa***; At-Tirmidhi graded it ***Hasan*** (good)].

7. THE BOOK OF BUSINESS TRANSACTIONS

٧ - كِتَابُ البُيُوعِ

Chapter 1
CONDITIONS OF BUSINESS TRANSACTIONS AND THOSE WHICH ARE FORBIDDEN

بَابُ شُرُوطِهِ وَمَا نُهِيَ عَنْهُ مِنْهُ

648. Narrated Rifā'a bin Rāfi' ؓ: The Prophet ﷺ was asked, 'What type of earning is best?'[1] He replied, "A man's work with his hand and every business transaction which is free from cheating or deception." [Reported by Al-Bazzār; Al-Hākim graded it *Sahih* (authentic)].

(٦٤٨) عَنْ رِفَاعَةَ بْنِ رَافِعٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ سُئِلَ أَيُّ الكَسْبِ أَطْيَبُ؟ قَالَ: «عَمَلُ الرَّجُلِ بِيَدِهِ، وَكُلُّ بَيْعٍ مَبْرُورٍ». رَوَاهُ البَزَّارُ، وَصَحَّحَهُ الحَاكِمُ.

649. Narrated Jābir bin 'Abdullāh ؓ: I heard Allāh's Messenger ﷺ saying in the year of the Conquest, while he was in Makkah, "Allāh and His Messenger have forbidden the sale of intoxicants, dead animals, swine and idols." He was asked, "O Allāh's Messenger, what about the fat of a dead animal, for it is used for greasing ships, greasing the hides (of animals), and making oils for lamps?' He replied, "No, it is unlawful." Allāh's Messenger ﷺ then added: "May Allāh curse the Jews, when Allāh the Most High declared the fat of such animals unlawful they melted it, then sold it and devoured its price (profit)[2] ." [Agreed upon].

(٦٤٩) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّهُ سَمِعَ رَسُولَ اللهِ ﷺ يَقُولُ عَامَ الفَتْحِ، وَهُوَ بِمَكَّةَ: «إِنَّ اللَّهَ وَرَسُولَهُ حَرَّمَ بَيْعَ الخَمْرِ وَالمَيْتَةِ وَالخِنْزِيرِ وَالأَصْنَامِ». فَقِيلَ: يَا رَسُولَ اللهِ أَرَأَيْتَ شُحُومَ المَيْتَةِ؟ فَإِنَّهَا تُطْلَى بِهَا السُّفُنُ، وَتُدْهَنُ بِهَا الجُلُودُ، وَيَسْتَصْبِحُ بِهَا النَّاسُ، فَقَالَ: «لَا هُوَ حَرَامٌ»، ثُمَّ قَالَ رَسُولُ اللهِ ﷺ عِنْدَ ذٰلِكَ: «قَاتَلَ اللَّهُ اليَهُودَ، إِنَّ اللَّهَ لَمَّا حَرَّمَ عَلَيْهِمْ شُحُومَهَا جَمَلُوهُ، ثُمَّ بَاعُوهُ، فَأَكَلُوا ثَمَنَهُ». مُتَّفَقٌ عَلَيْهِ.

[1] Which occupation is the best? Scholars differ on this issue. Imam An-Nawawi collected the *Ahādith* on this subject, examined them all carefully, and in the end gave his verdict that the profession of agriculture is the best among all, since most of the creatures benefit from it. The second best profession is craftsmanship and industry, and third is honest trade. Some scholars have given priority to industry, while others have preferred honest trade. Allāh is the best knower of everything.

[2] It means that trading in liquor, dead animals, carrion, swine, idols and statues is prohibited. This *Hadīth* also makes the point clear that the profits – of anything which is unlawful in itself – are also unlawful, and the change in its form does not cancel the prohibition, as the noble Prophet ﷺ ruled concerning the profits from fat.

650. Narrated Ibn Mas'ūd ﷺ: I heard Allāh's Messenger ﷺ saying, "When two people who are arranging a business transaction disagree and there is no proof to arbitrate between them, the seller's word is final, or they may break the deal." [Reported by *Al-Khamsa* and authenticated by Al-Hākim].

(٦٥٠) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «إِذَا اخْتَلَفَ الْمُتَبَايِعَانِ، وَلَيْسَ بَيْنَهُمَا بَيِّنَةٌ، فَالقَوْلُ مَا يَقُولُ رَبُّ السِّلْعَةِ أَوْ يَتَتَارَكَانِ». رَوَاهُ الخَمْسَةُ وَصَحَّحَهُ الحَاكِمُ.

651. Narrated Abū Mas'ūd Al-Ansāri ﷺ: Allāh's Messenger ﷺ prohibited the money paid for a dog,[1] the payment made to a prostitute,[2] and the payment given to a soothsayer[3]." [Agreed upon].

(٦٥١) وَعَنْ أَبِي مَسْعُودٍ الأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنْ ثَمَنِ الكَلْبِ، وَمَهْرِ البَغِيِّ، وَحُلْوَانِ الكَاهِنِ. مُتَّفَقٌ عَلَيْهِ.

652. Narrated Jābir bin 'Abdullāh ﷺ: I was travelling on a camel of mine's which had become exhausted, so I intended to let it go free. The Prophet ﷺ followed me and made supplication for me and struck it. Then, it went as it had never done before. He then said, "Sell it to me for one *Uqiya*[4]." I replied, "No." He again said, "Sell it to me." So I sold it to him for one *Uqiya*. However, I stipulated that I should be allowed to ride it home. Then when I reached (home), I took the camel to him and he paid me its price in cash. I then went back and he sent someone after me. (When I came), he said, "Do you think that I asked you to reduce the value of your camel's price[5] to take it? Take your camel and your money, for it is yours." [Agreed upon; and this is Muslim's wording].

(٦٥٢) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّهُ كَانَ عَلَى جَمَلٍ لَهُ قَدْ أَعْيَا، فَأَرَادَ أَنْ يُسَيِّبَهُ، قَالَ: فَلَحِقَنِي النَّبِيُّ ﷺ، فَدَعَا لِي، وَضَرَبَهُ، فَسَارَ سَيْراً لَمْ يَسِرْ مِثْلَهُ، قَالَ: بِعْنِيهِ بِأُوقِيَّةٍ، قلت: لا، ثم قال: بِعْنِيهِ فَبِعْتُه بِأُوقِيَّةٍ، وَاشْتَرَطْتُ حُمْلاَنَهُ إِلَى أَهْلِي، فَلَمَّا بَلَغْتُ أَتَيْتُهُ بِالجَمَلِ، فَنَقَدَنِي ثَمَنَهُ، ثُمَّ رَجَعْتُ، فَأَرْسَلَ فِي أَثَرِي، فَقَالَ: أَتَرَانِي مَاكَسْتُكَ لِآخُذَ جَمَلَكَ؟ خُذْ جَمَلَكَ وَدَرَاهِمَكَ، فَهُوَ لَكَ. مُتَّفَقٌ عَلَيْهِ. وَهَذَا السِّيَاقُ لِمُسْلِمٍ.

653. Narrated (Jābir bin 'Abdullāh) ﷺ: A

(٦٥٣) وَعَنْهُ قَالَ: أَعْتَقَ رَجُلٌ مِنَّا عَبْداً لَهُ عَنْ

[1] According to most of the religious scholars, trading in dogs is also unlawful.

[2] Earned money of a prostitute is unlawful. There is a consensus of the Muslim nation on this issue.

[3] Soothsayers tell the future news by guessing, and earn money in this way. So this type of money accepted by fortune-tellers, is unlawful unanimously. Similarly, singing and its payment is also prohibited.

[4] One *Uqiya* is equal to forty Dirhams.

[5] May be you are thinking that I purchased your camel at a low price.

man among us declared that a slave belonging to him would be free after his death. However, he had no other property. So, the Prophet ﷺ sent for him (the slave) and sold him.[1] [Agreed upon].

دُبُرٍ، وَلَمْ يَكُن لَّهُ مَالٌ غَيْرُهُ، فَدَعَا بِهِ النَّبِيُّ ﷺ فَبَاعَهُ. مُتَّفَقٌ عَلَيْهِ.

654. Narrated Maimuna ؓ, the wife of the Prophet ﷺ : A mouse fell into some ghee and died. The Prophet ﷺ was asked about it and he replied, "Throw it – and what is surrounding (touching) it – away and eat it (that which remained untouched)." [Reported by Al-Bukhāri. Ahmad and An-Nasā'i added: "into a solid ghee."]

(٦٥٤) وَعَنْ مَيْمُونَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا زَوْجِ النَّبِيِّ ﷺ، أَنَّ فَأْرَةً وَقَعَتْ فِي سَمْنٍ، فَمَاتَتْ فِيهِ، فَسُئِلَ النَّبِيُّ ﷺ عَنْهَا فَقَالَ: «أَلْقُوهَا وَمَا حَوْلَهَا وَكُلُوهُ». رَوَاهُ الْبُخَارِيُّ، وَزَادَ أَحْمَدُ والنَّسَائِيُّ: «فِي سَمْنٍ جَامِدٍ».

655. Narrated Abū Huraira ؓ: Allāh's Messenger ﷺ said, "If a mouse falls into ghee which is solid, throw the mouse and what is surrounding it away; but if it is in a liquid state do not go near it." [Ahmad and Abū Dā'ud reported it; Al-Bukhāri and Abū Hātim ruled it to be *Wahm* (an error) (in reporting it from Abu Huraira)].

(٦٥٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا وَقَعَتِ الْفَأْرَةُ فِي السَّمْنِ، فَإِنْ كَانَ جَامِداً فَأَلْقُوهَا وَمَا حَوْلَهَا، وَإِنْ كَانَ مَائِعاً فَلَا تَقْرَبُوهُ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَقَدْ حَكَمَ عَلَيْهِ الْبُخَارِيُّ وَأَبُو حَاتِمٍ بِالْوَهْمِ.

656. Narrated Abū Zubair[2] ؓ: I asked Jābir (ؓ) about the payment for cats and dogs[3] and he replied, "The Prophet ﷺ warned sternly against that." [Reported by Muslim and An-Nasā'i; the latter added: "except a hunting dog."]

(٦٥٦) وَعَنْ أَبِي الزُّبَيْرِ قَالَ: سَأَلْتُ جَابِراً عَنْ ثَمَنِ السِّنَّوْرِ وَالْكَلْبِ. فَقَالَ: زَجَرَ النَّبِيُّ ﷺ عَنْ ذَلِكَ. رَوَاهُ مُسْلِمٌ وَالنَّسَائِيُّ وَزَادَ: «إِلَّا كَلْبَ صَيْدٍ».

657. Narrated 'Aisha ؓ: Barira[4] came

(٦٥٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا

[1] It means that selling a ***Mudabbar*** slave is permissible. ***Mudabbar*** slave, a male or female, is that one who is told by the master that he or she will be free after his (master's) death.

[2] He is Muhammad bin Muslim bin Tadrus Al-Asadi Al-Makki, a manumitted slave of Hakim bin Hizām. He was a ***Tābi'i*** whose reliability was agreed upon by the ***Hadīth*** scholars. He died in 128 H.

[3] Buying and selling of cats is unanimously unlawful. Likewise, there is no difference of opinion about common or ordinary dogs, about their trade being unlawful. However, there is a difference of opinion about hunting dogs, which are considered legal by some.

[4] Barira was the slave-girl of 'Aisha ؓ 'Mother of the Believers' and she was married to Mughith, the slave of the family of Abū Ahmad bin Jahsh. When she was freed, the Prophet ﷺ gave her the freedom of choice and she chose to be free from her husband who was still a slave and automatically became divorced from him.

to her and said, "I had arranged[1] to buy my freedom for nine *Uqiya*; one *Uqiya* to be paid annually, so help me." 'Aisha ﷺ replied, "If your people are pleased that I should pay (the amount) to them, and I shall have the right to inherit from you, I shall do so." Barira went to her people and told them about it, but they refused the offer. When she came back Allāh's Messenger ﷺ was sitting (in the house). She said, "I offered that to them, but they insisted that the right to inherit from me[2] should be theirs." The Prophet ﷺ heard that and 'Aisha ﷺ told him about it. So, he said to 'Aisha ﷺ, "Take her and stipulate that the right to inherit from her will be yours, for the right of inheritance belongs only to the one who has set a slave free."[3] 'Aisha ﷺ did so. Allāh's Messenger ﷺ then stood up among the people to address them. So, after praising and extolling Allāh, he said, "To proceed; what is the matter with some men who make conditions which are not in the Book of Allāh, the Might, the Majestic? Any condition which is not in Allāh's Book is invalid. Even if there are a hundred conditions, Allāh's Decision is more valid and Allāh's Condition is more binding. The right of inheritance belongs only to the one who has set a slave free." [Agreed upon and the wording is Al-Bukhāri's]. Muslim has:

قَالَتْ: جَاءَتْنِي بَرِيرَةُ، فَقَالَتْ: إِنِّي كَاتَبْتُ أَهْلِي عَلَى تِسْعِ أَوَاقٍ، فِي كُلِّ عَامٍ أُوقِيَّةٌ، فَأَعِينِينِي، قُلْتُ: إِنْ أَحَبَّ أَهْلُكِ أَنْ أَعُدَّهَا لَهُمْ، وَيَكُونُ ولاَؤُكِ لِي فَعَلْتُ، فَذَهَبَتْ بَرِيرَةُ إِلَى أَهْلِهَا، فَقَالَتْ لَهُمْ، فَأَبَوْا عَلَيْهَا، فَجَاءَتْ مِنْ عِنْدِهِمْ، وَرَسُولُ اللهِ ﷺ جَالِسٌ، فَقَالَتْ: إِنِّي قَدْ عَرَضْتُ ذٰلِكَ عَلَيْهِمْ فَأَبَوْا، إِلَّا أَنْ يَكُونَ الوِلاَءُ لَهُمْ، فَسَمِعَ النَّبِيُّ ﷺ، فَأَخْبَرَتْ عَائِشَةُ النَّبِيَّ ﷺ، فَقَالَ: «خُذِيهَا وَاشْتَرِطِي لَهُمُ الوَلاَءَ، فَإِنَّمَا الوَلاَءُ لِمَنْ أَعْتَقَ»، فَفَعَلَتْ عَائِشَةُ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، ثُمَّ قَامَ رَسُولُ اللهِ ﷺ فِي النَّاسِ خَطِيباً، فَحَمِدَ اللَّهَ وَأَثْنَى عَلَيْهِ، ثُمَّ قَالَ: «أَمَّا بَعْدُ: فَمَا بَالُ رِجَالٍ يَشْتَرِطُونَ شُرُوطاً لَيْسَتْ فِي كِتَابِ اللهِ عَزَّ وَجَلَّ؟ مَا كَانَ مِنْ شَرْطٍ لَيْسَ فِي كِتَابِ اللهِ فَهُوَ بَاطِلٌ، وَإِنْ كانَ مِائَةَ شَرْطٍ، قَضَاءُ اللهِ أَحَقُّ، وَشَرْطُ اللهِ أَوْثَقُ، وَإِنَّمَا الوَلاَءُ لِمَنْ أَعْتَقَ». مُتَّفَقٌ عَلَيْهِ، واللَّفْظُ لِلْبُخَارِيِّ، وَعِنْدَ مُسْلِمٍ قَالَ: «اشْتَرِيها، وَأَعْتِقِيهَا، وَاشْتَرِطِي لَهُمُ الولاَءَ».

[1] *Kitābat* (كتابة): or *Mukātaba* (مكاتبة) means the written contract of liberation of a slave or slave-girl from his/her master against the payment of money. Either side can make this proposal, i.e. the master may ask for the money, or the slave can offer money for his freedom.

[2] After the death of a *Mukātab* slave (male or female) his/her left property is called *Wala'* (ولاء). If somebody pays the amount of the contract (كتابة) and liberates the *Makātab* (مكاتب) – slave or slave-girl, than in case of the death of this slave or slave-girl, he who has paid the money, inherits the property; and if the contract money is paid by the slave himself, than his property goes to his kins.

[3] It means that the freeing of a *Makātab* (a slave or slave-girl who has made a written contract for freedom) for a fixed amount is lawful.

"Buy her, set her free and make the stipulation that the right to inherit from her will be yours."

658. Narrated Ibn 'Umar ﷺ: 'Umar (ﷺ) forbade the sale of the slave-women who have given birth to children [1] (of their owners). He said, "She is not to be sold, bestowed as a gift or inherited. He (the owner) enjoys her as long as he lives and when he dies, she becomes free." [Reported by Mālik and Al-Baihaqi. He said: Some of the narrators have attributed it to the Prophet mistakenly].

(٦٥٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى عُمَرُ عَنْ بَيْعِ أُمَّهَاتِ الأَوْلَادِ، فَقَالَ: لَا تُبَاعُ، وَلَا تُوهَبُ، وَلَا تُورَثُ، يَسْتَمْتِعُ بِهَا مَا بَدَا لَهُ، فَإِذَا مَاتَ فَهِيَ حُرَّةٌ. رَوَاهُ البَيْهَقِيُّ وَمَالِكٌ، وَقَالَ: رَفَعَهُ بَعْضُ الرُّوَاةِ فَوَهِمَ.

659. Narrated Jābir ﷺ: We used to sell our slave-women who had borne (our) children while the Prophet ﷺ was still living, and he saw no harm in that. [Reported by An-Nasā'i, Ibn Mājah and Ad-Dāraqutni. Ibn Hibbān graded it *Sahih* (authentic)].

(٦٥٩) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا نَبِيعُ سَرَارِيَنَا أُمَّهَاتِ الأَوْلَادِ، والنَّبِيُّ ﷺ حَيٌّ، لَا يَرَى بِذٰلِكَ بَأْساً. رَوَاهُ النَّسَائِيُّ وَابْنُ مَاجَهْ وَالدَّارَقُطْنِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

660. Narrated Jābir bin 'Abdullāh ﷺ: Allāh's Messenger ﷺ prohibited the sale of excess water[2]. [Reported by Muslim]. In another narration, he added: "And hiring a camel to impregnate a she-camel."

(٦٦٠) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ بَيْعِ فَضْلِ المَاءِ. رَوَاهُ مُسْلِمٌ، وَزَادَ فِي رِوَايَةٍ: «وَعَنْ بَيْعِ ضِرَابِ الجَمَلِ».

661. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ forbade the sale of a stallion's semen (to use for impregnation). [Reported by Al-Bukhāri].

(٦٦١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ عَسْبِ الفَحْلِ. رَوَاهُ البُخَارِيُّ.

662. Narrated (Ibn 'Umar) ﷺ: Allāh's Messenger ﷺ forbade the transaction called '*Habalal- Habala*'[3] which was

(٦٦٢) وَعَنْهُ أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنْ بَيْعِ حَبَلِ الحَبَلَةِ، وَكَانَ بَيْعاً يَتَبَايَعُهُ أَهْلُ

[1] *Ummahātal-Aulād* (أمهات الأولاد) or *Ummul-Walad* (أم الولد) is that slave-girl who bears a child for her master. Such a slave-girl has to stay with her master till his death and after the death of her master she is free. The master's children have no right or claim over her. Whether a master can sell or not the slave-girl after she has given birth to his child, is a disputed issue.

[2] Withholding or selling of surplus water beyond what one needs is strictly prohibited, whatever may be the source of water, a well or spring, on one's own land or someone else's. However, water stored for personal use can be sold and it is lawful.

[3] There were two forms of this trade. The example of first form is to buy the offspring of an animal which itself is yet to be born, by making the payment in advance. The second form is

one entered into in the *Jabiliya* era, whereby a man bought a she-camel which was to be the offspring of a she-camel which was still in its mother's womb. [Agreed upon, and the wording is Al-Bukhārī's].

الجَاهِلِيَّةِ، كَانَ الرَّجُلُ يَبْتَاعُ الجَزُورَ إِلَى أَنْ تُنْتَجَ النَّاقَةُ، ثُمَّ تُنْتَجَ الَّتِي فِي بَطْنِهَا. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

663. Narrated (Ibn 'Umar) رضي الله عنه: Allāh's Messenger ﷺ forbade selling or giving away the right of inheritance from a freed slave.[1] [Agreed upon].

(٦٦٣) وَعَنْهُ أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنْ بَيْعِ الوَلَاءِ وَعَنْ هِبَتِهِ. مُتَّفَقٌ عَلَيْهِ.

664. Narrated Abū Huraira رضي الله عنه: Allāh's Messenger ﷺ forbade a transaction determined by throwing stones, and the transaction which involves some uncertainty (or cheating).[2] [Reported by Muslim].

(٦٦٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ بَيْعِ الحَصَاةِ، وَعَنْ بَيْعِ الغَرَرِ. رَوَاهُ مُسْلِمٌ.

665. Narrated (Abū Huraira) رضي الله عنه: Allāh's Messenger ﷺ said, "If anyone buys grain he must not sell it till he weighs it." [Reported by Muslim].

(٦٦٥) وَعَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: مَنِ اشْتَرَى طَعَاماً فَلَا يَبِعْهُ حَتَّى يَكْتَالَهُ. رَوَاهُ مُسْلِمٌ.

666. Narrated (Abū Huraira) رضي الله عنه: Allāh's Messenger ﷺ forbade two transactions combined in one.[3] [Reported by Ahmad and An-Nasā'i. At-Tirmidhi and Ibn Hibbān graded it *Sahih* (authentic)].

(٦٦٦) وَعَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ بَيْعَتَيْنِ فِي بَيْعَةٍ. رَوَاهُ أَحْمَدُ وَالنَّسَائِيُّ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

Abū Dā'ud has: "If anyone makes two transactions combined in one he is entitled to take the lower price, or (it is considered) usury."[4]

وَلِأَبِي دَاوُدَ: «مَنْ بَاعَ بَيْعَتَيْنِ فِي بَيْعَةٍ فَلَهُ أَوْكَسُهُمَا أَوِ الرِّبَا».

---

to sell an animal on condition to deliver it at the time when its offspring is born. Both forms of this kind of trade are prohibited due to unknown factors in the contract.

[1] *Al-Walā'* (الولاء) is a right to inherit the property of a freed slave by the person who has freed him. The *Hadīth* make it clear that *Walā'* is like lineage. One's lineage cannot be sold or gifted, and likewise selling *Walā'* or offering it as a gift is prohibited.

[2] "Pebble throwing trade" is another form of a trade containing the unknown. In this trade the seller asks the buyer to throw a pebble, and whatever the pebble falls upon, that thing is given to the buyer on a pre-fixed price. This form of trade is also prohibited because there is fraud in it. The price of the thing on which the pebble falls may be more or less than the pre-fixed price. There are many forms of this type of trade and all of them are prohibited. For example, to sell a lost slave or an animal, flying birds or fish in water, etc.

[3] In this form of trade the seller fixes two prices for an article. One price for cash payment and the second price for credit purchase. The extra money added to the credit purchase is considered interest, and therefore unlawful.

[4] Some scholars of *Hadīth* have disapproved of this last narration which has Muhammad bin

667. Narrated 'Amr bin Shu'aib on his father's authority from his grand father (ﷺ): Allāh's Messenger ﷺ said, "The condition of a loan combined with a sale is not lawful,[1] nor two conditions relating to one transaction, nor the profit arising from something which is not in one's charge, nor selling what is not in your possession." [Reported by *Al-Khamsa*. At-Tirmidhi, Ibn Khuzaima and Al-Hākim graded it *Sahih* (authentic)]. Al-Hākim reported it in *'Uloom Al-Hadith*, from the narration of Abu Hanifah, from 'Amr bin Shu'aib, with the wording: He (the Prophet) forbade a transaction (combined with) a condition. At-Tabarani reported it through this chain of narrators in *al-Awsat*, and it is *Gharib* (reported by a single narrator).

(٦٦٧) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَحِلُّ سَلَفٌ وَبَيْعٌ، وَلَا شَرْطَانِ فِي بَيْعٍ، وَلَا رِبْحُ مَا لَا يُضْمَنْ، وَلَا بَيْعُ مَا لَيْسَ عِنْدَكَ». رَوَاهُ الخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ خُزَيْمَةَ وَالحَاكِمُ.

وَأَخْرَجَهُ فِي عُلُومِ الحَدِيثِ، مِنْ رِوَايَةِ أَبِي حَنِيفَةَ، عَنْ عَمْرٍو المَذْكُورِ، بِلَفْظِ «نَهى عَنْ بَيْعٍ وشَرْطٍ». وَمِنْ هَذَا الوَجْهِ أَخْرَجَهُ الطَّبَرَانِيُّ فِي الأَوْسَطِ، وَهُوَ غَرِيبٌ.

668. Narrated ('Amr bin Shu'aib on his father's authority from his grand father ﷺ): Allāh's Messenger ﷺ forbade the type of transaction in which a security deposit was paid.[2] [Reported by Mālik, who said, "It reached me (with mentioning its chain of narrators) on the authority of 'Amr bin Shu'aib that..." i.e., the aforesaid *Hadīth*].

(٦٦٨) وَعَنْهُ رَضِيَ اللَّهُ عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ بَيْعِ العُرْبَانِ. رَوَاهُ مَالِكٌ، قَالَ: بَلَغَنِي عَنْ عَمْرِو بْنِ شُعَيْبٍ بِهِ.

669. Narrated Ibn 'Umar ﷺ: I bought some oil in the market and when I had taken it (from the seller), a man met me and offered to give me a good profit

(٦٦٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: ٱبْتَعْتُ زَيْتاً فِي السُّوقِ، فَلَمَّا اسْتَوْجَبْتُهُ لَقِيَنِي رَجُلٌ فَأَعْطَانِي بِهِ رِبْحاً حَسَناً،

'Amr as one of its narrators. However, it has been graded *Hasan* or *Sahih* by others. See: *Irwā' Al-Ghaleel*, Shaykh Al-Albani, 5/149-150.

[1] This trade has two forms. The first form is of a man who sells a horse for one hundred riyals on credit with the condition that the buyer will make the payment in a certain period of time. If the buyer is unable to make the payment within the fixed time, than the seller purchases the horse back for fifty riyals and leaves him indebted for the balance fifty riyals. This is unlawful. The second form of this trade is that a house valued at twelve thousand riyals, is sold to someone for ten thousand riyals with the condition that the buyer would lend two thousand riyals to the seller.

[2] *'Urbān* (عربان) means a security deposit towards the purchase of an item. If somebody settles the price of an animal and pays a certain amount as a deposit such that if he did not buy this animal, the seller will keep the deposited money; and in case the deal is accomplished, the deposited amount will be deducted from the price. This is prohibited

for it. Then, when I was about to finalize the deal with him, a man caught hold of my forearm from behind. So I turned and found that he was Zaid bin Thābit (ﷺ). He said, "Do not sell it in the place where you have bought it, till you take it to your dwelling. This is because Allāh's Messenger ﷺ forbade that commodities to be sold in the place where they were bought, till the traders take them to their dwellings."[1] [Reported by Ahmad and Abū Dā'ud; this wording is from Abu Dawud. Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

فَأَرَدْتُ أَنْ أَضْرِبَ عَلَى يَدِ الرَّجُلِ، فَأَخَذَ رَجُلٌ مِّنْ خَلْفِي بِذِرَاعِي فَالتَفَتُّ فَإِذَا هُوَ زَيْدُ بْنُ ثَابِتٍ، فَقَالَ: لَا تَبِعْهُ حَيْثُ ابْتَعْتَهُ، حَتَّى تَحُوزَهُ إِلَى رَحْلِكَ، فَإِنَّ رَسُولَ اللهِ ﷺ نَهَى أَنْ تُبَاعَ السِّلَعُ حَيْثُ تُبْتَاعُ، حَتَّى يَحُوزَهَا التُّجَّارُ إِلَى رِحَالِهِمْ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَاللَّفْظُ لَهُ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

670. Narrated (Ibn 'Umar) ﷺ: I said, "O Allāh's Messenger, I sell camels at Al-Baqi'. I sell for Dinars and take Dirhams (for them), and sell for Dirhams, and take Dinars (for them), I take this for that and give that for this (i.e. Dinars and Dirhams)." Allāh's Messenger ﷺ replied, "There is no harm in taking them at the current rate[2] so long as you do not separate leaving something still to be settled (from the exchange)." [Reported by *Al-Khamsa* and Al-Hākim graded it *Sahih* (authentic)].

(٦٧٠) وَعَنْهُ قَالَ: قُلْتُ: يَا رَسُولَ اللهِ! إِنِّي أَبِيعُ الإِبِلَ بِالبَقِيعِ فَأَبِيعُ بِالدَّنَانِيرِ، وَآخُذُ الدَّرَاهِمَ، وَأَبِيعُ بِالدَّرَاهِمِ، وَآخُذُ الدَّنَانِيرَ، آخُذُ هٰذَا مِنْ هٰذِهِ، وَأُعْطِي هٰذِهِ مِنْ هٰذَا، فَقَالَ رَسُولُ اللهِ ﷺ: «لَا بَأْسَ أَنْ تَأْخُذَهَا بِسِعْرِ يَوْمِهَا مَا لَمْ تَتَفَرَّقَا وَبَيْنَكُمَا شَيْءٌ». رَوَاهُ الخَمْسَةُ، وَصَحَّحَهُ الْحَاكِمُ.

671. Narrated (Ibn 'Umar) ﷺ: Allāh's Messenger ﷺ forbade bidding against one another (to raise the price).[3] [Agreed upon].

(٦٧١) وَعَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنِ النَّجْشِ. مُتَّفَقٌ عَلَيْهِ.

672. Narrated Jābir bin 'Abdullāh ﷺ: The Prophet ﷺ forbade *Muhāqala*,[4]

(٦٧٢) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ

according to this *Hadith*. However, some scholars consider the *Hadith* weak. Hence, it is prohibited by Imam Malik and Ash-Shaafi'i and allowed by Imam Ahmad.

[1] It means that an article bought at a place should not be sold at the same place, until it is taken into the buyer's possession before reselling.

[2] The Dirham (درهم) is a silver coin, and the Dinar (دينار) is a gold coin. Exchange of Dinar and Dirham and vice versa is legal, provided the exchange is concluded at the rate of the day and each party receives the amount due to him in full. This is known as the 'trade of exchange (of currencies).'

[3] *Najsh* (النجش) means making a bid merely to raise the price of an article by bidder who does not really intend to buy the item.

[4] *Muhāqala* (المحاقلة) is selling unharvested grain in the field for an already harvested grain

Muzābana,[1] and *Mukhābara.*[2] He also forbade *Thunya*[3] unless it was explicit (a known amount). [Reported by *Al-Khamsa* excluding Ibn Mājah; At-Tirmidhi graded it *Sahih* (authentic)].

تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ نَهَى عَنِ الْمُحَاقَلَةِ، وَالْمُزَابَنَةِ، وَالْمُخَابَرَةِ، وَعَنِ الثُّنْيَا، إِلَّا أَنْ تُعْلَمَ. رَوَاهُ الخَمْسَةُ إِلَّا ابْنَ مَاجَهْ، وَصَحَّحَهُ التِّرمِذِيُّ.

673. Narrated Anas ﷺ: Allāh's Messenger ﷺ forbade *Muhāqala*, *Mukhādara*[4], *Mulāmasa*[5], *Munābadha*[6] and *Muzābana*. [Reported by Al-Bukhāri].

(٦٧٣) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنِ الْمُحَاقَلَةِ، وَالْمُخَاضَرَةِ، وَالْمُلَامَسَةِ، وَالْمُنَابَذَةِ، وَالْمُزَابَنَةِ. رَوَاهُ الْبُخَارِيُّ.

674. Narrated Tawus[7] from Ibn 'Abbās ﷺ, Allāh's Messenger ﷺ said, "Do not go out to meet riders (to conduct business with them),[8] and a city-dweller must not sell for a man from

(٦٧٤) وَعَنْ طَاوُسٍ عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَلَقَّوُا الرُّكْبَانَ، وَلَا يَبِيعُ حَاضِرٌ لِبَادٍ»، قُلْتُ

like wheat.

[1] *Muzābana* (المزابنة) is to exchange the fruit which is still on the tree with the dry fruit. This is not allowed.

[2] *Mukhābara* (المخابرة) is renting land for a half or a third of its produce. This transaction is allowed in principle and even the Prophet ﷺ practiced it with the Jews of Khaibar. But what this *Hadīth* forbids is specifying the produce of a certain portion of the land belonging to the owner and the other portion to the tenant which involved a lot of conflicts between the land owners and the tenants when the crops of the owner's portion failed and the tenants produced or vice-versa. However, there is no harm if both parties agree to share the whole produce according to fixed percentages.

[3] *Thunya* (ثنيا) is also a kind of trade in which a person sells the fruit of his garden still on trees for a certain price but on condition that he will keep some of its fruit. This is unlawful because 'some' is not a fixed measure and therefore evolves the unknown. However, if the condition specifies the amount to be withheld, it is allowed.

[4] The buying of an unripe crop, before it is ready to be reaped is *Mukhādara* (المخاضرة).

[5] *Mulāmasa* (الملامسة) is a buy for pre-fixed price with closed eyes or in darkness just by the first touch of the hand. For instance, a man goes to a cloth merchant and proposes to him to buy a roll of cloth for a pre-fixed price. He agrees to buy it on the condition that he will close his eyes and will go to touch the rolls, then he will buy whichever roll he touches first. This kind of trade is prohibited.

[6] *Munābadha* (المنابذة) is to throw the roll of cloth in the dark to each other, and to accept whatever the catch is without seeing the goods.

[7] He is Abū 'Abdur-Rahmān Tawus bin Kisān Al-Farisi and a manumitted slave of Al-Himyar. His name was Dhakwān and Tawus was his nickname. He was a reliable virtuous *Fiqh* scholar and a *Tābi'i* of the third grade. He said, "I met 50 of the *Sahāba* alive." Ibn 'Abbās said, "I think Tawus will enter Paradise." And 'Amr bin Dinār said, "I never saw anyone like him." He died in 106 H.

[8] Receiving the trade caravans outside the town, with the intention of buying their goods at a lower price, and keeping them unaware of the market price of their merchandise is

the desert." I asked Ibn 'Abbās ﷺ, "What did he mean by 'A city-dweller must not sell for a man from the desert.'" He replied, "He should not act as a broker for him." [Agreed upon and the wording is Al-Bukhāri's].

لابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا: مَا قَوْلُهُ ﷺ: لَا يَبِيعُ حَاضِرٌ لِبَادٍ؟ قَالَ: لَا يَكُونُ لَهُ سِمْسَاراً. مُتَّفَقٌ عَلَيْهِ وَاللَّفْظُ لِلْبُخَارِيِّ.

675. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Do not go out to meet what is being brought (to market for sale). Whoever has done so and bought some of it, when its owner comes to the market he has the choice (of canceling the deal)." [Reported by Muslim].

(٦٧٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَلَقَّوُا الجَلَبَ، فَمَنْ تُلُقِّيَ فَاشْتُرِيَ مِنْهُ، فَإِذَا أَتَى سَيِّدُهُ السُّوقَ فَهُوَ بِالخِيَارِ». رَوَاهُ مُسْلِمٌ.

676. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ forbade, a city-dweller to sell for a man from the desert; one to bid against another (to raise the price);[1] that someone sell (his product) by canceling the sale of his brother; to propose (marriage) to a woman after his brother has done so; or a woman to ask to have her sister divorced in order to deprive her of what belongs to her.[2] [Agreed upon]. Muslim has: "A Muslim must not offer a price above that offered[3] by another Muslim."

(٦٧٦) وَعَنْهُ رَضِيَ اللَّهُ عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ أَنْ يَبِيعَ حَاضِرٌ لِبَادٍ، وَلَا تَنَاجَشُوا، وَلَا يَبِيعُ الرَّجُلُ عَلَى بَيْعِ أَخِيهِ، وَلَا يَخْطُبُ عَلَى خِطْبَةِ أَخِيهِ، وَلَا تَسْأَلُ المَرْأَةُ طَلَاقَ أُخْتِهَا، لِتَكْفَأَ مَا فِي إِنَائِهَا. مُتَّفَقٌ عَلَيْهِ، وَلِمُسْلِمٍ: «لَا يَسُومُ المُسْلِمُ عَلَى سَوْمِ أَخِيهِ».

677. Narrated Abū Ayub Al-Ansāri ﷺ: I heard Allāh's Messenger ﷺ saying, "Whoever separates a mother from her

(٦٧٧) وَعَنْ أَبِي أَيُّوبَ الأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ:

---

prohibited. The caravans should be allowed to reach the trade center and know the rate of the market. Prior to this, buying and selling is prohibited. If somebody makes such a deal, and the seller comes to know that he has been tricked, he has the option to cancel the deal.

[1] *Najsh* (النجش) has been explained before. Another explanation of the word is that if someone buys something from a shopkeeper, the other shopkeeper is not allowed to allure the buyer to buy from him instead by offering his goods at a lower price.

[2] It is not allowed for a woman to cause hatred between a husband and wife, in order to cause a divorce between them, so that she may then marry that man. Similarly, it is also unlawful to marry one's daughter or sister or any other relation to a man by compelling him to divorce the first wife.

[3] For example, someone is selling something for one riyal and the buyer has agreed to the price. It is not allowed for someone else to convince the seller not to sell his property for one riyal, by offering to pay him one and a quarter for that same thing. However, in an auction, bidding is allowed.

child, May Allāh separate him from his beloved ones on the Day of Resurrection." [Reported by Ahmad. At-Tirmidhi and Al-Hākim graded it *Sahih* (authentic). However, it's chain of narrators has some weakness. But, it has a supporting narration].

«مَنْ فَرَّقَ بَيْنَ وَالِدَةٍ وَوَلَدِهَا، فَرَّقَ اللَّهُ بَيْنَهُ وَبَيْنَ أَحِبَّتِهِ يَوْمَ القِيَامَةِ». رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ التِّرمِذِيُّ وَالحَاكِمُ، لٰكِنْ فِي إِسْنَادِهِ مَقَالٌ، وَلَه شَاهِدٌ.

678. Narrated 'Ali bin Abū Tālib ﷺ: Allāh's Messenger ﷺ commanded me to sell two youths who were brothers. I sold them and separated them (by selling them to different people). When I made mention of that to the Prophet ﷺ , he said, "Find them and get them back,[1] and do not sell them except that they are together." [Reported by Ahmad, and the narrators of his chain are reliable. Indeed Ibn Khuzaima, Ibn Al-Jārud, Ibn Hibbān, Al-Hākim, At-Tabarāni and Ibn Qattān graded it *Sahih* (authentic)].

(٦٧٨) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَمَرَنِي رَسُولُ اللهِ ﷺ أَنْ أَبِيعَ غُلَامَيْنِ أَخَوَيْنِ، فَبِعْتُهُمَا، فَفَرَّقْتُ بَيْنَهُمَا، فَذَكَرْتُ ذٰلِكَ لِلنَّبِيِّ ﷺ، فَقَالَ: «أَدْرِكْهُمَا فَارْتَجِعْهُمَا، وَلَا تَبِعْهُمَا إِلَّا جَمِيعاً». رَوَاهُ أَحْمَدُ، وَرِجَالُهُ ثِقَاتٌ، وَقَدْ صَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ الجَارُودِ وَابْنُ حِبَّانَ وَالحَاكِمُ وَالطَّبَرَانِيُّ وَابْنُ القَطَّانِ.

679. Narrated Anas bin Mālik ﷺ: When prices were high in Al-Madīnah in the time of Allāh's Messenger ﷺ, the people said, "O Allāh's Messenger, prices have become high, so fix them for us". Allāh's Messenger ﷺ replied, "Allāh is the One Who fixes prices, Who withholds, gives lavishly and provides.[2] And I hope that when I meet Allāh, the Most High, none of you will have any claim on me for an injustice regarding blood or property." [Reported by *Al-Khamsa* excluding An-Nasā'i; Ibn Hibbān graded it *Sahih* (authentic)].

(٦٧٩) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: غَلَا السِّعْرُ فِي المَدِينَةِ عَلَى عَهْدِ رَسُولِ اللهِ فقال النَّاسُ: يا رسولَ اللهِ! غَلَا السِّعرُ، فَسَعِّرْ لَنَا، فَقَالَ رَسُولُ اللهِ ﷺ: «إِنَّ اللَّهَ هُوَ المُسَعِّرُ القَابِضُ البَاسِطُ الرَّازِقُ، وَإِنِّي لأَرْجُو أَنْ أَلْقَى اللَّهَ تَعَالَى وَلَيْسَ أَحَدٌ مِنْكُمْ يَطْلُبُنِي بِمَظْلَمَةٍ فِي دَمٍ وَلَا مَالٍ». رَوَاهُ الخَمْسَةُ إِلَّا النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

680. Narrated Ma'mar bin 'Abdullāh[3]

(٦٨٠) وَعَنْ مَعْمَرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ

[1] The foregoing *Hadīth* indicates that creating separation is not permitted. This *Hadīth* makes it clear that if such business is conducted it stands cancelled.

[2] This *Hadīth* indicates that controlling of price is prohibited because it causes loss to businessmen on one side, and on the other it creates a made-up famine. Bare necessities of life become scarce and many vices erupt from it.

[3] Ma'mar bin 'Abdullāh bin Nāfi' bin Nadla bin Harthān Al-'Adawi, who was the son of Abū Ma'mar, was a senior *Sahābi* who had become a Muslim early and migrated to Abyssinia (Ethiopia). His migration to Al-Madīnah was delayed, then he migrated to it and settled there.

ؓ: Allāh's Messenger ﷺ said, "None withholds goods till the price rises[1] but a sinner." [Reported by Muslim].

تَعَالَى عَنْهُ، عَنْ رَسُولِ اللهِ ﷺ، قَالَ: «لَا يَحْتَكِرُ إِلَّا خَاطِئٌ». رَوَاهُ مُسْلِمٌ

681 Narrated Abū Huraira ؓ: The Prophet ﷺ said, "Do not tie up the udders of camels and goats. He who buys them after that (has been done) has two choices open to him after milking them: he may keep them if he wishes, or may return them along with one *Sā'* of dates." [Agreed upon]. Muslim has: "He has three days[2] in which to decide whether to keep them or not."[3] Another narration by Muslim, which Al-Bukhāri reported as ***Mu'llaq*** (with a broken chain), has: "He must return with it one *Sā'* of any grain but wheat." [Al-Bukhāri said, "(One *Sā'* of) dates" is mentioned in more narrations than not].

(٦٨١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، قَالَ: «لَا تُصَرُّوا الإِبِلَ وَالغَنَمَ، فَمَنِ ابْتَاعَهَا بَعْدُ فَهُوَ بِخَيْرِ النَّظَرَيْنِ بَعْدَ أَنْ يَحْلُبَهَا، إِنْ شَاءَ أَمْسَكَهَا، وَإِنْ شَاءَ رَدَّهَا وَصَاعاً مِنْ تَمْرٍ». مُتَّفَقٌ عَلَيْهِ، وَلِمُسْلِمٍ: «فَهُوَ بِالخِيَارِ ثَلَاثَةَ أَيَّامٍ». وَفِي رِوَايَةٍ لَهُ عَلَّقَهَا البُخَارِيُّ: «وَرَدَّ مَعَهَا صَاعاً مِنْ طَعَامٍ لَا سَمْرَاءَ». قَالَ البُخَارِيُّ: وَالتَّمْرُ أَكْثَرُ.

682. Narrated Ibn Mas'ūd ؓ: If anyone buys a goat whose udder has been tied up and he returned it, he must return with it one *Sā'*. [Reported by Al-Bukhāri]. Al-Isma'ili added: "of dates."

(٦٨٢) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: مَنِ اشْتَرَى شَاةً مُحَفَّلَةً فَرَدَّهَا فَلْيَرُدَّ مَعَهَا صَاعاً. رَوَاهُ البُخَارِيُّ، وَزَادَ الإِسْمَاعِيلِيُّ: «مِنْ تَمْرٍ».

683. Narrated Abū Huraira ؓ: Allāh's Messenger ﷺ once came upon a heap of grain, and when he put his hand inside it, his fingers felt some dampness. So, he asked, "What is this, O owner of the grain?" He replied, "Rain had fallen on it, O Allāh's Messenger." He said, "Why did you not

(٦٨٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ مَرَّ عَلَى صُبْرَةٍ مِنْ طَعَامٍ، فَأَدْخَلَ يَدَهُ فِيهَا، فَنَالَتْ أَصَابِعُهُ بَلَلاً، فَقَالَ: «مَا هَذَا؟ يَا صَاحِبَ الطَّعَامِ!» قَالَ: أَصَابَتْهُ السَّمَاءُ يَا رَسُولَ اللهِ! قَالَ: «أَفَلَا جَعَلْتَهُ فَوْقَ الطَّعَامِ، كَيْ يَرَاهُ النَّاسُ؟ مَنْ غَشَّ فَلَيْسَ

[1] ***Ibtikār*** (الاحتكار) means a planned hoarding of something for future profit. ***Ibtikār*** is prohibited and unlawful as it creates artificial scarcity of essential foodstuff.

[2] In the mentioned ***Hadīth***, three days have been prescribed because at least three days are required to assess the actual quantity of milk in the udder. Sometimes fodder and change of place is also a cause in increase of milk. If the milk is suspended in the udder for personal need and not for sale, it is permissible. In any case, suspension of milk in the udder harms the animal.

[3] It means that if the buyer senses something wrong with the deal, he can return it within three days. If the purchase is a dairy cattle, it should be returned with a *Sa'* (2.6 kg) of any kind of grain, not particularly dates.

put it (the damp part) on the top of the foodstuff so that people might see it? Whoever cheats has nothing to do with me."[1] [Reported by Muslim].

مِنِّي». رَوَاهُ مُسْلِمٌ.

684. Narrated 'Abdullāh bin Buraida on his father's authority ﷺ: Allāh's Messenger ﷺ said, "Whoever hoards grapes in the vintage (harvest) season till he sells them to those who make wine from them, has hastily thrown himself into Hell-fire with clear knowledge."[2] [At-Tabarāni reported it in *Al-Awsat* with a *Hasan* (good) chain of narrators]

(٦٨٤) وَعَنْ عَبْدِ اللهِ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ حَبَسَ العِنَبَ أَيَّامَ القِطَافِ، حَتَّى يَبِيعَهُ مِمَّنْ يَتَّخِذُهُ خَمْراً، فَقَدْ تَقَحَّمَ النَّارَ عَلَى بَصِيرَةٍ». رَوَاهُ الطَّبَرَانِيُّ فِي الأَوْسَطِ بِإِسْنَادٍ حَسَنٍ.

685. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ said, "Any profit goes to the one who bears responsibility."[3] [Reported by *Al-Khamsa*. Al-Bukhāri and Abū Dā'ud graded it *Da'if* (weak). At-Tirmidhi, Ibn Khuzaima, Ibn Al-Jārud, Ibn Hibbān, Al-Hākim and Ibn Al-Qattān graded it *Sahih* (authentic)].

(٦٨٥) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «الخَرَاجُ بِالضَّمَانِ». رَوَاهُ الخَمْسَةُ، وَضَعَّفَهُ البُخَارِيُّ وَأَبُو دَاوُدَ؛ وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ خُزَيْمَةَ وَابْنُ الْجَارُودِ وَابْنُ حِبَّانَ وَالحَاكِمُ وَابْنُ القَطَّانِ.

686. Narrated 'Urwa Al-Bāriqi[4] ﷺ: The Prophet ﷺ gave him a Dinar to buy a sacrificial animal or a sheep. He bought two sheep with it, sold one of them for a Dinar and came back to him with a goat and a Dinar. So he invoked blessings on him in his business dealings,[5] and he was such that if he had bought soil (of the earth) he would

(٦٨٦) وَعَنْ عُرْوَةَ البَارِقِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ أَعْطَاهُ دِينَاراً لِيَشْتَرِيَ بِهِ أُضْحِيَّةً أَوْ شَاةً، فَاشْتَرَى بِهِ شَاتَيْنِ، فَبَاعَ إِحْدَاهُمَا بِدِينَارٍ، فَأَتَاهُ بِشَاةٍ وَدِينَارٍ، فَدَعَا لَهُ بِالبَرَكَةِ فِي بَيْعِهِ، فَكَانَ لَوِ اشْتَرَى تُرَاباً لَرَبِحَ فِيهِ. رَوَاهُ الخَمْسَةُ إِلَّا النَّسَائِيَّ، وَقَدْ أَخْرَجَهُ

---

[1] It means that cheating is prohibited. This *Hadīth* means that the act of cheating is not worthy of my people. "He behaved the way of infidels" does not mean that he is infidel.

[2] It is prohibited to sell the grapes to an alcohol producer. Extending any kind of help or assistance to an evil cause is prohibited. The Qur'ān [5:2] orders us to help in good deeds and prohibits us from extending any kind of assistance to sinful and bad actions.

[3] It means that till the return time (the time given to return the purchase if not needed) profit and loss goes to the buyer. Suppose the purchase is an animal, and it died within the period agreed for its return, then the loss goes to the buyer. In the same way, if the animal is sold again for a higher price, similarly, the profit will go to the buyer.

[4] He is Ibn Ja'ad or Ibn Abū Ja'ad and it is said that his father was called 'Iyād Al-Bāriqi, a sub-clan of the tribe of Azd who is Bāriq bin 'Adi bin Hāritha . He was called Bāriq because he settled on a mountain called Bāriq. 'Urwa was a *Sabābi* who served 'Umar as the *Qadi* of Kufa, settling there and his *Ahadīth* were narrated by the people of Kufa.

[5] This *Hadīth* makes clear four things:

have made a profit from it. [Reported by *Al-Khamsa* except An-Nasā'i. Al-Bukhāri also recorded it within another *Hadīth* but did not report its exact wording. At-Tirmidhi reported a *Shāhid* (supporting narration of similar meaning) for it from the *Hadith* of Hakim bin Hizam].

الْبُخَارِيُّ فِي ضِمْنِ حَدِيثٍ، وَلَمْ يَسُقْ لَفْظَهُ، وَأَوْرَدَ التِّرْمِذِيُّ لَهُ شَاهِداً مِنْ حَدِيثِ حَكِيمِ بْنِ حِزَامٍ.

687. Narrated Abū Sa'īd Al-Khudri ﷺ: The Prophet ﷺ forbade buying what is in the wombs of domestic animals till they give birth; selling what is in their udders; buying a runaway slave; buying (something from) the spoils of war until they are divided; buying *Sadaqāt* before they are received; and the unknown catch (find) of a diver.[1] [Ibn Mājah, Al-Bazzār and Ad-Dāraqutni reported it with a weak chain of narrators].

(٦٨٧) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ شِرَاءِ مَا فِي بُطُونِ الأَنْعَامِ حَتَّى تَضَعَ، وَعَنْ بَيْعِ مَا فِي ضُرُوعِهَا، وَعَنْ شِرَاءِ العَبْدِ وَهُوَ آبِقٌ، وَعَنْ شِرَاءِ المَغَانِمِ حَتَّى تُقْسَمَ، وَعَنْ شِرَاءِ الصَّدَقَاتِ حَتَّى تُقْبَضَ، وَعَنْ ضَرْبَةِ الغَائِصِ. رَوَاهُ ابْنُ مَاجَهْ وَالبَزَّارُ وَالدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ.

688. Narrated Ibn Mas'ūd ﷺ: Allāh's Messenger ﷺ said, "Do not buy the fish that is in the water, for it involves uncertainty (risk)." [Reported by Ahmad who indicated that the correct view is that it is *Mawqūf* (saying of a Companion, i.e. Ibn Mas'ud)].

(٦٨٨) وَعَنْ أَبِي مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَشْتَرُوا السَّمَكَ فِي المَاءِ، فَإِنَّهُ غَرَرٌ». رَوَاهُ أَحْمَدُ، وَأَشَارَ إِلَى أَنَّ الصَّوَابَ وَقْفُهُ.

689. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ forbade the selling of a fruit till it becomes ripe, or the selling of fur which is (still) on the back (of an animal) or milk which is (still) in the

(٦٨٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ أَنْ تُبَاعَ ثَمَرَةٌ حَتَّى تُطْعِمَ، وَلَا يُبَاعُ صُوفٌ عَلَى ظَهْرٍ، وَلَا لَبَنٌ فِي ضَرْعٍ. رَوَاهُ الطَّبَرَانِيُّ فِي الأَوْسَطِ

i) That the attorney is empowered to operate the wealth of his trustee.
ii) That with the consent and approval of another person his property and goods can be sold.
iii) That it is permissible to sell a sacrificial animal and buy another in its place, but this trade should not be for the purpose of profit. If there is any profit in this business, it should be given in charity.
iv) That kindness should be appreciated and rewarded.

[1] Six kinds of prohibited trade have been mentioned in this *Hadīth* and the causes of their unlawfulness vary. These six kinds have been explicitly stated in *Ahādith*. The unlawfulness of the first two is unanimous, and they involve taking a risk. The third is unlawful because the return or whereabouts of the run away slave is not certain. The fourth is unlawful because it is not the property of the seller. The fifth is unlawful because it is not in possession, and the sixth is unlawful because there is no surety that the diver will get something or not. It also involves taking a risk.

udder.[1] [Reported by At-Tabarāni in *Al-Awsat*. Ad-Dāraqutni also reported it. Abū Dā'ud reported in *Al-Marasil* as a saying of 'Ikrima, and that is the strongest opinion. He also reported it *Mawquf* (as a saying of a Companion, i.e.) Ibn 'Abbas with a strong chain of narrators, and Al-Baihaqi held it to the most correct narration].

وَالدَّارَقُطْنِيُّ، وَأَخْرَجَهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ لِعِكْرِمَةَ، وَهُوَ الرَّاجِحُ، وَأَخْرَجَهُ أَيْضاً مَوْقُوفاً عَلَى ابْنِ عَبَّاسٍ، بِإِسْنَادٍ قَوِيٍّ. وَرَجَّحَهُ الْبَيْهَقِيُّ.

690. Narrated Abū Huraira ﷺ: The Prophet ﷺ forbade the sale of what is in the womb of a she-camel, and the semen that is in the body of a male-camel.[2] [Reported by Al-Bazzār and there is weakness in its *Isnād* (chain of narrators)].

(٦٩٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ بَيْعِ الْمَضَامِينِ وَالْمَلَاقِيحِ. رَوَاهُ الْبَزَّارُ، وَفِي إِسْنَادِهِ ضَعْفٌ.

691. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said, "Whoever accepts back what he had sold to a Muslim, Allāh will forgive his fault."[3] [Reported by Abū Dā'ud and Ibn Mājah. Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic].

(٦٩١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ أَقَالَ مُسْلِماً بَيْعَتَهُ أَقَالَ اللَّهُ عَثْرَتَهُ». رَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

Chapter 2
CONDITIONAL BARGAINS

٢ - بَابُ الخِيَارِ

692. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "Both parties in a business transaction have a right to annul the transaction,[4] so long as

(٦٩٢) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنْ رَسُولِ اللهِ ﷺ قَالَ: «إِذَا تَبَايَعَ رَجُلَانِ فَكُلُّ وَاحِدٍ مِنْهُمَا بِالخِيَارِ مَا لَمْ يَتَفَرَّقَا

[1] In this *Hadīth* three unlawful kinds of trade are mentioned. First is that the unripe fruit, still on trees should not be sold because there is a chance of their damage till they are ripe. The second point is that the trees are the property of the seller and their fruit is the property of the buyer. Their longtime partnership may not last long. The other two kinds are to sell the wool of a sheep or goat before it is shaved and the milk of an animal still in the udder. These are unlawful because the quantity of wool and milk is not known, so this is a sort of gambling (involving risks).

[2] *Madāmīn* (المضامين) means the offspring which is not yet born and are still in mother's womb. *Malāqīh* (الملاقيح) means the essence of life (sperm) which is still in father's spine.

[3] If it is already agreed that the merchandise can be returned, then the buyer has full right to return it. However, if it is not agreed beforehand and the buyer wishes to return it, in this situation whoever takes back the merchandise Allāh will forgive his sins.

[4] *Ikhtiyār* or *Khiyār* (الاختيار أو الخيار) means to reserve the right of breach of contract. This is of many kinds:

they have not separated and remain together; or one of them gives the other the choice (to conclude or annul the transaction); so, if one of them gives the other the choice (to conclude or annul the transaction) and then they make the transaction accordingly, the transaction then becomes binding; or if they separate after having made the transaction and none of them has annulled it, the transaction then becomes binding." [Agreed upon, and the wording is Muslim's].

وَكَانَا جَمِيعاً، أَوْ يُخَيِّرُ أَحَدُهُمَا الآخَرَ، فَإِنْ خَيَّرَ أَحَدُهُمَا الآخَرَ فَتَبَايَعَا عَلَى ذَٰلِكَ فَقَدْ وَجَبَ الْبَيْعُ، وَإِنْ تَفَرَّقَا بَعْدَ أَنْ تَبَايَعَا وَلَمْ يَتْرُكْ وَاحِدٌ مِنْهُمَا الْبَيْعَ فَقَدْ وَجَبَ الْبَيْعُ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

693. Narrated 'Amr bin Shu'aib on his father's authority from his grandfather (ﷺ): The Prophet ﷺ said, "The two parties (seller and buyer) in a business transaction have a choice (to annul it) until they separate (from one another), unless it is a transaction with the right to annul it attached to it; and it is not allowed for one to separate from the other for fear that he may cancel the deal." [Reported by *Al-Khamsa* except Ibn Mājah. Ad-Dāraqutni, Ibn Khuzaima and Ibn Al-Jārud also reported it]. Another narration has: "till they separate from their place (of transaction)."

(٦٩٣) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ عَنْ جَدِّهِ، أَنَّ النَّبِيَّ ﷺ قَالَ: «الْبَائِعُ وَالْمُبْتَاعُ بِالْخِيَارِ حَتَّى يَتَفَرَّقَا، إِلَّا أَنْ تَكُونَ صَفْقَةَ خِيَارٍ، وَلَا يَحِلُّ لَهُ أَنْ يُفَارِقَهُ خَشْيَةَ أَنْ يَسْتَقِيلَهُ». رَوَاهُ الْخَمْسَةُ إِلَّا ابْنَ مَاجَه، وَرَوَاهُ الدَّارَقُطْنِيُّ وابْنُ خُزَيْمَةَ وَابْنُ الجَارُودِ، وَفِي رِوَايَةٍ: «حَتَّى يَتَفَرَّقَا عَنْ مَكَانِهِمَا».

694. Narrated Ibn 'Umar ﷺ: A man[1] told Allāh's Messenger ﷺ that he was being deceived (cheated) in business transactions, and he replied, "When

(٦٩٤) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: ذَكَرَ رَجُلٌ لِرَسُولِ اللهِ ﷺ أَنَّهُ يُخْدَعُ فِي الْبُيُوعِ، فَقَالَ: «إِذَا بَايَعْتَ فَقُلْ: لَا

i) *Khiyār Majlis* (خيار المجلس): As long as buyer and seller are together, each of them has the right to reject or accept the deal.

ii) *Khiyār Shart* (خيار الشرط): Buyer and seller make it conditional that in a certain period, either side has the right to reject or accept it.

iii) *Khiyār 'Aib* (خيار العيب): Buyer says that if merchandise is defective, he will return it.

iv) *Khiyār Ru'yat* (خيار الرؤية): Buyer accomplishes the deal conditionally that it will be effective after seeing the goods.

v) *Khiyār Ta'yin* (خيار التعيين): It means that the buyer is allowed to select his choice.

[1] His name was Habbān bin Munqadh. Due to an injury in the head, his memory was weakened and people usually deceived him in business, so the Prophet ﷺ taught him these words.

you make a purchase say, 'Deceiving (cheating) is not allowed (i.e. he has the choice to return the goods if he wills)' " [Agreed upon].

خِلَابَةَ». مُتَّفَقٌ عَلَيْهِ.

Chapter 3
AR-RIBA (INTEREST)

٣ - بَابُ الرِّبَا

695. Narrated Jābir ﷺ: Allāh's Messenger ﷺ cursed the one who accepts usury, the one who gives it, the one who records it and the two witnesses to it, saying, "They are all the same."[1] [Reported by Muslim]. Al-Bukhāri reported something similar from the *Hadīth* of Abū Juhaifa.

(٦٩٥) عَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَعَنَ رَسُولُ اللهِ ﷺ آكِلَ الرِّبَا ومُوكِلَهُ وَكَاتِبَهُ وَشَاهِدَيْهِ، وَقَالَ: هُمْ سَوَاءٌ. رَوَاهُ مُسْلِمٌ، وَلِلْبُخَارِيِّ نَحْوُهُ مِنْ حَدِيثِ أَبِي جُحَيْفَةَ.

696. Narrated 'Abdullāh bin Mas'ūd ﷺ: The Prophet ﷺ said, "Usury has seventy-three categories, the least one in sin is as that of a man who marries (has sexual relations with) his mother, and the very essence of usury is the (violation of the) honor of a Muslim man." [Ibn Mājah reported it in a short form and Al-Hākim in a complete one. The latter also graded it *Sahih* (authentic)].

(٦٩٦) وَعَنْ عَبْدِ اللهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «الرِّبَا ثَلَاثَةٌ وَسَبْعُونَ بَاباً، أَيْسَرُهَا مِثْلُ أَنْ يَنْكِحَ الرَّجُلُ أُمَّهُ، وَإِنَّ أَرْبَى الرِّبَا عِرْضُ الرَّجُلِ المُسلِمِ». رَوَاهُ ابْنُ مَاجَهْ مُخْتَصَراً، وَالحَاكِمُ بِتَمَامِهِ، وَصَحَّحَهُ.

697. Narrated Abū Sa'īd Al-Khudri ﷺ: The Prophet ﷺ said, "Do not sell gold for gold unless it is the same amount for the same amount, and do not make one amount greater than the other. Do not sell silver for silver unless it is the same amount for the same amount, and do not make one amount greater than the other. And do not sell that (cash money) which is not present (at the time of the transaction) for that (cash money) which is present." [Agreed upon].

(٦٩٧) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا تَبِيعُوا الذَّهَبَ بِالذَّهَبِ إِلَّا مِثْلاً بِمِثْلٍ، وَلَا تُشِفُّوا بَعْضَهَا عَلَى بَعْضٍ، وَلَا تَبِيعُوا الوَرِقَ بِالوَرِقِ إِلَّا مِثْلاً بِمِثْلٍ، وَلَا تُشِفُّوا بَعْضَهَا عَلَى بَعْضٍ، وَلَا تَبِيعُوا مِنْهَا غَائِباً بِنَاجِزٍ». مُتَّفَقٌ عَلَيْهِ.

698. Narrated 'Ubāda bin As-Sāmit ﷺ: Allāh's Messenger ﷺ said, "Gold is to

(٦٩٨) وَعَنْ عُبَادَةَ بْنِ الصَّامِتِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الذَّهَبُ

[1] Interest (usury) is unlawful according to clear and definite Verses of the noble Qur'ān. It is agreed upon that whoever gives the loan on interest, whoever receives it, whoever records it and whoever witnesses it, all are cursed.

be paid for with gold, silver with silver, wheat with wheat, barley with barley, dates with dates, and salt with salt, same quantity for same quantity and equal for equal, hand to hand [i.e. payment being made on the spot].[1] If these classes differ, sell as you wish as long as payment is made on the spot." [Reported by Muslim].

بِالذَّهَبِ، وَالفِضَّةُ بِالفِضَّةِ، وَالبُرُّ بِالبُرِّ، وَالشَّعِيرُ بِالشَّعِيرِ، وَالتَّمْرُ بِالتَّمْرِ، وَالمِلْحُ بِالمِلْحِ، مِثْلاً بِمِثْلٍ، سَوَاءً بِسَوَاءٍ، يَداً بِيَدٍ، فَإِذَا اخْتَلَفَتْ هَذِهِ الأَصْنَافُ فَبِيعُوا كَيْفَ شِئْتُمْ، إِذَا كَانَ يداً بِيدٍ». رَوَاهُ مُسْلِمٌ.

699. Narrated Abū Huraira ﵁: Allāh's Messenger ﷺ said, "Gold is to be paid for with gold, both being of equal weight and of same quantities; silver is to be paid for with silver, both being of equal weight and of same quantities. If anyone gives more or asks for more of it, it is then usury." [Reported by Muslim].

(٦٩٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الذَّهَبُ بِالذَّهَبِ وَزْناً بِوَزْنٍ، مِثْلاً بِمِثْلٍ، وَالفِضَّةُ بِالفِضَّةِ وَزْناً بِوَزْنٍ، مِثْلاً بِمِثْلٍ، فَمَنْ زَادَ أَوِ اسْتَزَادَ فَهُوَ رِباً». رَوَاهُ مُسْلِمٌ.

700. Narrated Abū Sa'īd Al-Khudri and Abū Huraira ﵄: Allāh's Messenger ﷺ appointed a man over Khaibar and he brought him dates of a very fine quality. Allāh's Messenger ﷺ asked, "Are all the dates of Khaibar like this?" He replied, "I swear by Allāh that they are certainly not, O Allāh's Messenger. We take one *Sā'* of this kind for two, and even for three (of lesser quality). So Allāh's Messenger ﷺ said, "Do not do so. Sell the mixed dates for Dirhams, then buy the very fine dates with the Dirhams." And he said that the same applies when things are sold by weight. [Agreed upon]. Muslim has: "and so is (that which is sold by) weight."

(٧٠٠) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ وَأَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ اسْتَعْمَلَ رَجُلاً عَلَى خَيْبَرَ، فَجَاءَهُ بِتَمْرٍ جَنِيبٍ، فَقَالَ رَسُولُ اللهِ ﷺ: «أَكُلُّ تَمْرِ خَيْبَرَ هَكَذَا؟» فَقَالَ: لاَ، واللهِ، يَا رَسُولَ اللهِ! إِنَّا لَنَأْخُذُ الصَّاعَ مِنْ هَذَا بِالصَّاعَيْنِ وَالثَّلاَثَةِ، فَقَالَ رَسُولُ اللهِ ﷺ: «لاَ تَفْعَلْ، بِعِ الجَمْعَ بِالدَّرَاهِمِ، ثُمَّ ابْتَعْ بِالدَّرَاهِمِ جَنِيباً»، وَقَالَ فِي المِيزَانِ مِثْلَ ذَلِكَ. مُتَّفَقٌ عَلَيْهِ، وَلِمُسْلِمٍ: «وَكَذَلِكَ المِيزَانُ».

701. Narrated Jābir bin 'Abdullāh ﵄: Allāh's Messenger ﷺ forbade selling a

(٧٠١) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ بَيْعِ

[1] The items that the Prophet ﷺ has counted are: gold, silver, wheat, barley, dates and salt. There is no decrease or increase in the barter of these items. For example, a man has a good quality wheat and the other has an inferior quality. It is not permissible to exchange 20 kg. of good quality wheat with that of 30 kg. of inferior quality. If at all someone wishes to exchange the quality of his wheat with the other, he should sell this and buy the other quality with the money. Direct barter with increase or decrease is not allowed. Some religious scholars approve increase or decrease in the same kind other than these six items, but the four *Imāms* do not approve this exchange as long as they are of one kind.

quantity of dates whose measure was unknown for a specified (known) quantity of dates.[1] [Reported by Muslim].

الصُّبْرَةِ مِنَ التَّمْرِ لَا يُعْلَمُ مَكِيلُهَا بِالكَيْلِ المُسَمَّى مِنَ التَّمْرِ. رَوَاهُ مُسْلِمٌ.

702. Narrated Ma'mar bin 'Abdullāh ﷺ: I used to hear Allāh's Messenger ﷺ say, "Food (may be sold) for food, of same quantities." Our food at that time consisted of barley.[2] [Reported by Muslim].

(٧٠٢) وَعَنْ مَعْمَرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: إِنِّي كُنْتُ أَسْمَعُ رَسُولَ اللهِ ﷺ يَقُولُ: «الطَّعَامُ بِالطَّعَامِ مِثْلاً بِمِثْلٍ، وَكَانَ طَعَامُنَا يَوْمَئِذٍ الشَّعِيرَ». رَوَاهُ مُسْلِمٌ.

703. Narrated Fadāla bin 'Ubaid ﷺ: I bought a necklace for twelve Dinars at the battle of Khaibar and it contained gold and gems. I considered them separately and found that it was worth more than twelve Dinars. I told the Prophet ﷺ about that and he said, "It must not be sold till the contents are considered separately."[3] [Reported by Muslim].

(٧٠٣) وَعَنْ فَضَالَةَ بْنِ عُبَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: اشْتَرَيْتُ يَوْمَ خَيْبَرَ قِلَادَةً بِاثْنَي عَشَرَ دِينَاراً، فِيهَا ذَهَبٌ وخَرَزٌ، فَفَصَّلْتُهَا، فَوَجَدْتُ فِيهَا أَكْثَرَ مِنَ اثْنَي عَشَرَ دِينَاراً، فَذَكَرْتُ ذٰلِكَ لِلنَّبِيِّ ﷺ، فَقَالَ: «لَا تُبَاعُ حَتَّى تُفْصَلَ». رَوَاهُ مُسْلِمٌ.

704. Narrated Samura bin Jundub ﷺ: The Prophet ﷺ forbade selling animals for animals when payment was to be made at a later date.[4] [Reported by *Al-Khamsa*] Ibn Al-Jārud and At-Tirmidhi graded it *Sahih* (authentic).

(٧٠٤) وَعَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ بَيْعِ الحَيَوانِ بِالحَيَوَانِ نَسِيئَةً. رَوَاهُ الخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ الجَارُودِ.

705. Narrated Ibn 'Umar ﷺ: I heard Allāh's Messenger ﷺ say, "If you sell anything on credit to anyone, on the condition that you will buy it back for a lower price (*Al-'Einah*),[5] take hold of

(٧٠٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «إِذَا تَبَايَعْتُمْ بِالعِينَةِ، وَأَخَذْتُمْ أَذْنَابَ البَقَرِ،

[1] It means that the commodities which are sold by measure and weight should be exchanged with exactness by measure and weight and not by guess only.

[2] In another *Hadīth* it is stated that their food was wheat. Ma'mar wants to explain that barley and wheat are equal and should be treated as one foodstuff and in their exchange any increase or decrease is not correct. But other Companions of the Prophet ﷺ do not agree with it. As in the *Hadīth* reported by 'Ubāda bin Sāmit رضي الله عنه it is clearly told that wheat and barley are two different kinds.

[3] This *Hadīth* is a proof that gold if mixed with other substances should not be sold unless it is separated from them, because it is not possible to estimate the weight of gold mixed with other substances.

[4] It is permitted to sell one animal for two or vice versa, even if the animals are of the same class. But swapping of animals on credit is not allowed.

[5] *'Einah* (العينة): An example of *'Einah* is that a person asks someone to lend him a certain amount of money. He refuses the money in cash and instead offers him an article at a higher

the tails of cattle, become pleased with agriculture and give up *Jihād* – Allāh will make disgrace prevail over you and will not remove it from you till you return to your religion." [Reported by Abū Dā'ud from the narration of Nafi'[1] on the authority of Ibn 'Umar ﷺ, but there is a defect in its chain. Ahmad reported something similar from the narration of 'Ata.[2] Its narrators are reliable and Ibn Al-Qattān graded it *Sahih* (authentic)].

وَرَضِيتُمْ بِالزَّرْعِ، وَتَرَكْتُمُ الجِهَادَ، سَلَّطَ اللَّهُ عَلَيْكُمْ ذُلاًّ لَا يَنْزِعُهُ حَتَّى تَرْجِعُوا إِلَى دِينِكُمْ». رَوَاهُ أَبُو دَاوُدَ مِنْ رَوَايَةِ نَافِعٍ عَنْهُ، وَفِي إِسْنَادِهِ مَقَالٌ، وَلِأَحْمَدَ نَحْوُهُ مِنْ رِوَايَةِ عَطَاءٍ، وَرِجَالُهُ ثِقَاتٌ، وَصَحَّحَهُ ابْنُ القَطَّانِ.

706. Narrated Abū Umāma ﷺ: The Prophet ﷺ said, "Whoever intercedes for his brother and that one gives him a gift for that (intercession) which he accepts, he has engaged in one of the most terrible types of *Riba* (undeserving increase is something)."[3] [Reported by Ahmad and Abū Dā'ud, but one of its narrators' reliability has been doubted].

(٧٠٦) وَعَنْ أَبِي أُمَامَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، قَالَ: «مَنْ شَفَعَ لِأَخِيهِ شَفَاعَةً فَأَهْدَى لَهُ هَدِيَّةً عَلَيْهَا، فَقَبِلَهَا، فَقَدْ أَتَى بَاباً عَظِيماً مِنْ أَبْوَابِ الرِّبَا». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَفِي إِسْنَادِهِ مَقَالٌ.

707. Narrated 'Abdullāh bin 'Amr bin Al-

(٧٠٧) وَعَنْ عَبْدِ اللهِ بْنِ عَمْرِو بْنِ العَاصِ

---

price than the amount of the requested loan. Then, he buys back the same article from him at a lower price i.e., equal to the amount of the requested loan. In this way he makes him indebted for the larger amount, which includes the amount of the requested loan in addition to the increase, which is in fact *Riba* (interest)... It shows that two things are the causes of Muslim' disgrace – one is giving up of *Jihād* and the second is fraud and swindling.

[1] He is Abū 'Abdullāh Nafi' bin Sirjis Al-Madani, the manumitted slave of Ibn 'Umar whom he captured during one of the military expeditions. He was reliable and a prominent *Fiqh* scholar among the great *Tābi'in* (student of a Companion). He narrated most of the *Ahadīth* reported by Ibn 'Umar رضي الله عنهما . Ibn 'Umar said, "Allāh has blessed us with Nafi' " Mālik also said, "I used not to bother about hearing a *Hadīth* from anyone else once I heard it from Nafi' through Ibn 'Umar." Al-Bukhāri also said, "The most authentic chain of narrators is: Mālik from Nafi' from Ibn 'Umar (from Allāh's Messenger)." Many people narrated *Ahadīth* from Nafi' and he died in the year 117 H. or after it.

[2] It is most likely that he is 'Atā' Al-Khurāsāni and he was called Abū 'Uthmān 'Atā' bin Abū Muslim Maisara, the manumitted slave of Al-Muhalab bin Abū Sufra. He settled at Shām and was one of its eminent men. He was reliable and used to be regular in after midnight prayers. However he had a bad memory and committed many errors in his narrations. He died in 135 H. at the age of 85 years.

[3] If the gift is given before intercession in addition to the intercession being for a forbidden deed, its unlawfulness is agreed upon, and it is not a gift but bribery. Making recommendation in the case of an evil, and accepting a gift afterwards also falls into the same category. If the recommendation is made for a righteous deed, and acceptance of the gift is afterwards, and it was not something promised before, it is permissible.

Aas ؓ: Allāh's Messenger ﷺ cursed the one who bribes and the one who takes bribes.[1] [Reported by Abū Dā'ud and At-Tirmidhi, who graded it ***Sahih*** (authentic)].

رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: لَعَنَ رَسُولُ اللهِ ﷺ الرَّاشِيَ وَالْمُرْتَشِيَ. رَوَاهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ.

708. Narrated ('Abdullāh bin 'Amr bin Al-Aas) ؓ: The Prophet ﷺ commanded him to equip an army. Then, when the camels were insufficient, he commanded him to keep back the young camels of *Sadaqa*. He said, "I was taking a camel to be replaced by two when the camels of *Sadaqa* came." [Reported by Al-Hākim and Al-Baihaqi; its narrators are reliable].

(٧٠٨) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ أَمَرَهُ أَنْ يُجَهِّزَ جَيْشاً، فَنَفِدَتِ الإِبِلُ، فَأَمَرَهُ أَن يَأْخُذَ عَلَى قَلَائِصِ الصَّدَقَةِ، قَالَ: فَكُنْتُ آخُذُ البَعِيرَ بِالبَعِيرَيْنِ إِلَى إِبِلِ الصَّدَقَةِ. رَوَاهُ الحَاكِمُ وَالبَيْهَقِيُّ، وَرِجَالُه ثِقَاتٌ.

709. Narrated Ibn 'Umar ؓ: Allāh's Messenger ﷺ forbade *Al-Muzābana*, which means that a man sells the fruit of his garden, if it consists of palm-trees (fresh dates), for dried dates by measure; or if it consists of grapes (on the vines), for raisins by measure; or if it is unpicked crops, he sells it for a measured amount of picked crops. He forbade all that.[2] [Agreed upon].

(٧٠٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنِ المُزَابَنَةِ: أَنْ يَبِيعَ ثَمَرَ حَائِطِهِ إِنْ كَانَ نَخْلاً بِتَمْرٍ كَيْلاً، وَإِنْ كَانَ كَرْماً أَن يَبِيعَهُ بِزَبِيبٍ كَيْلاً، وَإِنْ كَانَ زَرْعاً أَنْ يَبِيعَهُ بِكَيْلِ طَعَامٍ، نَهَى عَنْ ذٰلِكَ كُلِّهِ. مُتَّفَقٌ عَلَيْهِ.

710. Narrated S'ad bin Abū Waqqās ؓ: I heard Allāh's Messenger ﷺ being asked about buying fresh dates for dry ones. He replied, "Will fresh dates diminish when they become dry?" They answered, "Yes." So he forbade that. [Reported by ***Al-Khamsa*** and graded ***Sahih*** (authentic) by Ibn Al-Madini, At-Tirmidhi, Ibn Hibbān and Al-Hākim].

(٧١٠) وَعَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ، وَسُئِلَ عَنِ اشْتِرَاءِ الرُّطَبِ بِالتَّمْرِ، فَقَالَ: «أَيَنْقُصُ الرُّطَبُ إِذَا يَبِسَ؟» قَالُوا: نَعَمْ، فَنَهَى عَنْ ذٰلِكَ. رَوَاهُ الخَمْسَةُ، وَصَحَّحَهُ ابْنُ المَدِينِيُّ وَالتِّرْمِذِيُّ وَابْنُ حِبَّانَ وَالحَاكِمُ.

711. Narrated Ibn 'Umar ؓ: The Prophet ﷺ forbade selling a debt to be paid at a future date for another i.e., a debt for a debt.[3] [Reported by Ishaq

(٧١١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ بَيْعِ الكَالِىءِ بِالكَالِىءِ، يَعْنِي الدَّيْنَ بِالدَّيْنِ. رَوَاهُ إِسْحَاقُ

[1] Whoever accepts bribery is cursed. He who is compelled to offer bribery for his genuine and legitimate right, may Allāh forgive him. But, if the bribery is offered to deprive someone from his right, it is a cause to invoke the curse of Allāh.

[2] This is because it involves selling something in an unknown amount for a known amount. Therefore, this kind of trade is prohibited.

[3] It has two forms: (1) for example, 'Ali buys a horse from Bakr for one hundred Dirhams and makes a promise to make the payment after one year, but after the lapse of a year, he is

and Al-Bazzār with a *Da'if* (weak) chain].

وَالبَزَّارُ بِإِسْنَادٍ ضَعِيفٍ.

Chapter 4
PERMISSION REGARDING THE SALE OF *AL-'ARAYA* AND THE SALE OF TREES[1] AND FRUITS

٤ - بَابُ الرُّخْصَةِ فِي العَرَايَا، وَبَيْعِ الأُصُولِ وَالثِّمَارِ

712. Narrated Zaid bin Thābit ﷺ: Allāh's Messenger ﷺ gave permission[2] regarding *Al-'Arāya*[3] for its sale on the basis of a calculation (of what the dates would be when dry) by measure. [Agreed upon].

(٧١٢) عَنْ زَيْدِ بْنِ ثَابِتٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: أَنَّ رَسُولَ اللهِ ﷺ رَخَّصَ فِي العَرَايَا أَنْ تُبَاعَ بِخَرْصِهَا كَيْلاً. مُتَّفَقٌ عَلَيْهِ.

Muslim has: "He gave permission regarding *Al-Arāya* (for its sale) in which the household buys its fruit on the basis of a calculation (of what the dates would be when dry), yet they could eat them fresh (from the tree)."

وَلِمُسْلِمٍ: رَخَّصَ فِي العَرِيَّةِ يَأْخُذُهَا أَهْلُ البَيْتِ بِخَرْصِهَا تَمْراً، يَأْكُلُونَهَا رُطَباً.

713. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ gave permission regarding the sale of *Al-Arāya,* on the basis of calculation of their amount, for dry dates, on the condition that they be less than five *Awsuq*, or amounting to five *Awsuq*.[4] [Agreed upon].

(٧١٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ رَخَّصَ فِي بَيْعِ العَرَايَا بِخَرْصِهَا مِنَ التَّمْرِ فِيمَا دُونَ خَمْسَةِ أَوْسُقٍ، أَوْ فِي خَمْسَةِ أَوْسُقٍ. مُتَّفَقٌ عَلَيْهِ.

---

not able to make the payment. He goes to Bakr and asks him to sell the horse again at a higher price. It means 'Ali is paying interest for not making the payment in time. (2) The second form is as explained in the following example: Suppose 'Umar owes ten Dirhams to Zaid, and he also owes a piece of cloth to Bakr. Bakr says to Zaid, "I will sell you the piece of cloth owed to me by 'Umar, for the ten Dirhams owed to you by 'Umar." So, 'Umar gives the cloth to Zaid instead of Bakr, and he gives the ten Dirhams to Bakr instead of Zaid. This type of transaction is prohibited.

[1] The Arabic word *Usūl* (الأصول) is plural of *Asl* (الأصل) and it means root. Because the roots are the origin of trees, therefore, *Bai'al-Usūl* (بيع الأصول) means the trade of trees.

[2] The literal meaning or verbal sense of the Arabic word *Rukhsat* (الرخصة) is 'leave or permission' but as a term in *Shari'a*, it means legal permission to act against the prohibition or obligatory orders of *Shari'a* due to some genuine excuse or dire need.

[3] (Plural of *'Ariya*) It is a palm tree assigned by its owner to a person in need. He may eat the fresh dates from the tree, or sell them for dry dates of the same amount (by estimation).

[4] Measure of five *Awsuq* (plural of *Wasq* (الوسق)) is a little more than eight quintals or three hundred *Sa'*, which is approximately 650 Kilograms. If there is a need, taking less than this quantity by estimation is permitted. This grace is bestowed for the general need of the people.

714. Narrated Ibn 'Umar ﷺ : Allāh's Messenger ﷺ forbade the sale of fruits till they appear to ripe, forbidding it both to the seller and to the buyer. [Agreed upon].

(٧١٤) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ بَيْعِ الثِّمَارِ حَتَّى يَبْدُوَ صَلَاحُهَا، نَهَى البَائِعَ وَالمُبْتَاعَ. مُتَّفَقٌ عَلَيْهِ.

A narration has: "When he was asked about (the words): 'appear to ripe'?" He ﷺ replied, "Till they were safe[1] from damage or disease."

وَفِي رِوَايَةٍ: وَكَانَ إِذَا سُئِلَ عَنْ صَلَاحِهَا، قَالَ: حَتَّى تَذْهَبَ عَاهَتُهَا.

715. Narrated Anas bin Mālik ﷺ: The Prophet ﷺ forbade the sale of fruits till they become colourful. He was asked what that meant, he replied, "Till they become reddish and yellowish." [Agreed upon and the wording is Al-Bukhāri's].

(٧١٥) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ بَيْعِ الثِّمَارِ حَتَّى تُزْهِيَ، قِيلَ: وَمَا زَهْوُهَا؟ قَالَ: «تَحْمَارُّ وَتَصْفَارُّ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

716. Narrated (Anas bin Mālik) ﷺ: The Prophet ﷺ forbade the sale of grapes till they become black (i.e. ripe) and the sale of grain till it becomes hard (i.e. ripe).[2] [Reported by *Al-Khamsa* except An-Nasā'i and graded *Sahih* (authentic) by Ibn Hibbān and Al-Hākim].

(٧١٦) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ بَيْعِ العِنَبِ حَتَّى يَسْوَدَّ، وَعَنْ بَيْعِ الحَبِّ حَتَّى يَشْتَدَّ. رَوَاهُ الخَمْسَةُ إِلَّا النَّسَائِيَّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

717. Narrated Jābir bin 'Abdullāh ﷺ: Allāh's Messenger ﷺ said, "If you sell some fruit to your brother and it was struck by blight, it would not be lawful for you to take anything from him.[3] How can you take your brother's money unjustly?" [Reported by Muslim]. In another narration he has: "The Prophet ﷺ commanded that unforeseen loss be remitted[4] in

(٧١٧) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَوْ بِعْتَ مِنْ أَخِيكَ ثَمَراً، فَأَصَابَتْهُ جَائِحَةٌ، فَلَا يَحِلُّ لَكَ أَنْ تَأْخُذَ مِنْهُ شَيْئاً، بِمَ تَأْخُذُ مَالَ أَخِيكَ بِغَيْرِ حَقٍّ؟» رَوَاهُ مُسْلِمٌ وَفِي رِوَايَةٍ لَهُ: أَنَّ النَّبِيَّ ﷺ أَمَرَ بِوَضْعِ الجَوَائِحِ.

[1] The Arabic word *'Ahat* (عاهة) means a 'sudden calamity'. This type of deal is prohibited because unripe fruit is useless, and before it is ripe and usable, a sudden calamity may fall it and destroy it. Due to this possibility of loss, it has been prohibited.

[2] It means that when the grain is ripe in the spike, it is permitted to sell the crop, but only a needful measure and not more. Otherwise, the rule is to sell the grains after thrashing and cleaning.

[3] If the yield is still on the trees and a calamity strikes, the owner of the trees has to endure the loss. But if the stroke comes after picking the fruit, the buyer has to bear the loss.

[4] The Arabic expression *Wad'al-Jawa'ih* (وضع الجوائح) means even after picking the yield, if

respect of what is affected by blight."

718. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ said, "If anyone buys a palm tree after it has been pollinated, the fruits belong to the seller who has sold them unless the buyer makes a condition." [Agreed upon].

(٧١٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنِ ابْتَاعَ نَخْلاً بَعْدَ أَنْ تُؤَبَّرَ، فَثَمَرَتُهَا لِلْبَائِعِ الَّذِي بَاعَهَا، إِلَّا أَنْ يَشْتَرِطَ الْمُبْتَاعُ». مُتَّفَقٌ عَلَيْهِ.

Chapter 5
PAYMENT IN ADVANCE,[1] A LOAN AND A PLEDGE

٥ - أَبْوَابُ السَّلَمِ وَالقَرْضِ وَالرَّهْنِ

719. Narrated Ibn 'Abbās ﷺ: When the Prophet ﷺ came to Al-Madīnah, they were paying one and two years in advance for fruits. So he (ﷺ) said, "Those who paid in advance for fruits must do so for a specified measurement and weight, and for a specified time." [Agreed upon]. Al-Bukhāri has: "Those who pay in advance for anything."

(٧١٩) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَدِمَ النَّبِيُّ ﷺ المَدِينَةَ، وَهُمْ يُسْلِفُونَ فِي الثِّمَارِ السَّنَةَ والسَّنَتَيْنِ، فَقَالَ: «مَنْ أَسْلَفَ فِي تَمرٍ فَلْيُسْلِفْ فِي كَيْلٍ مَعْلُومٍ وَوَزْنٍ مَعْلُومٍ إِلَى أَجَلٍ مَعْلُومٍ». مُتَّفَقٌ عَلَيْهِ، وَلِلْبُخَارِيِّ: «مَنْ أَسْلَفَ فِي شَيْءٍ».

720. Narrated 'Abdur-Rahmān bin Abza[2] and 'Abdullāh bin Abū Aufa ﷺ "We were getting a portion of the spoils of war along with Allāh's Messenger ﷺ, and some *Nabateans* (Arabs who mixed with non-Arabs and corrupted their language and lineage) from those of Syria used to come to us and we would pay in advance to them for wheat, barley and raisins – A narration has: 'and olive oil' – for a specified fixed time." It was asked, "Did they have standing crop?" They replied, "We were not asking them about that.[3] " [Reported by Al-Bukhāri].

(٧٢٠) وَعَنْ عَبْدِ الرَّحْمٰنِ بْنَ أَبْزَى، وَعَبْدِاللهِ بْنِ أَبِي أَوْفَى رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَا: كُنَّا نُصِيبُ المَغَانِمَ مع رسول الله ﷺ وكان يَأْتِينَا أَنْبَاطٌ من أَنْبَاطِ الشَّامِ، فَنُسْلِفُهُم فِي الحِنْطَةِ وَالشَّعِيرِ وَالزَّبِيبِ، - وَفِي رِوَايَةٍ: «وَالزَّيْتِ» - إِلَى أَجَلٍ مُسَمًّى، قِيلَ: أَكَانَ لَهُمْ زَرْعٌ؟ قَالَا: مَا كُنَّا نَسْأَلُهُمْ عَنْ ذٰلِكَ. رَوَاهُ البُخَارِيُّ.

there is a loss, the owner should be considerate and give some rebate to his customer.

[1] *Salam* (السلم) means to buy a produce by making the payment in advance. For example, someone gives a certain amount of money to another person and says that he will have the produce after such a period on such and such price. This is permitted provided the exact amount and price is decided beforehand. This is also known as *Bai' As-Salaf* (بيع السلف).

[2] 'Abdur-Rahmān bin Abza, the manumitted slave of Banu Khuzā'a was a young *Sahābi* who met the Prophet ﷺ and prayed behind him. He settled at Kufa and 'Ali bin Abū Talib appointed him to govern Khurasān. He died at Kufa.

[3] This *Hadīth* makes it clear that *Bai' As-Salam* (بيع السلم) is legal even if the crop or kind is

721. Narrated Abū Huraira ﷺ: The Prophet ﷺ said, "Whoever accepts other people's wealth intending to pay it back, Allāh will pay it back for him. And whoever anyone accepts it intending to waste it, Allāh, the Most High, will waste (destroy) him." [Reported by Al-Bukhāri].

(٧٢١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ أَخَذَ أَمْوَالَ النَّاسِ يُرِيدُ أَدَاءَهَا أَدَّى اللَّهُ عَنْهُ، وَمَنْ أَخَذَهَا يُرِيدُ إِتْلَافَهَا أَتْلَفَهُ اللَّهُ تَعَالَى». رَوَاهُ البُخَارِيُّ.

722. Narrated 'Aisha ﷺ: I said, "O Messenger of Allāh, so-and-so has brought clothes from Syria. What if you sent someone to him, and you get from him two garments on credit[1] till it is easy for you to repay?" So he sent someone to him, but he refused. [Al-Hākim and Al-Baihaqi reported it, and its narrators are reliable].

(٧٢٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قُلْتُ يَا رَسُولَ اللهِ! إِنَّ فُلاناً قَدِمَ لَهُ بَزٌّ مِّنَ الشَّامِ، فَلَوْ بَعَثْتَ إِلَيْهِ، فَأَخَذْتَ مِنْهُ ثَوْبَيْنِ بِنَسِيئَةٍ إِلَى مَيْسَرَةٍ، فَأَرْسَلَ إِلَيْهِ، فَامْتَنَعَ. أَخْرَجَهُ الحَاكِمُ والبَيْهَقِيُّ، وَرِجَالُهُ ثِقَاتٌ.

723. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said: "An animal may be ridden, due to what is spent on it,[2] when it is in pledge;[3] and the milk of a camel may be drunk, due to what is spent on it, when it is in pledge. And the responsibility of spending on it is upon the one who rides (it) and drinks (its milk)." [Reported by Al-Bukhāri]."

(٧٢٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الظَّهْرُ يُرْكَبُ بِنَفَقَتِهِ إِذَا كَانَ مَرْهُوناً، وَلَبَنُ الدَّرِّ يُشْرَبُ بنفقَتِهِ إذا كان مَرْهُونًا، وَعَلَى الَّذِي يَرْكَبُ وَيَشْرَبُ النَّفَقَةُ». رَوَاهُ البُخَارِيُّ.

724. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said: "A pledge does not become lost to its owner when he does not redeem it in time. Any increase in its value goes to him and any loss must be borne by him."[4] [Reported by Ad-Dāraqutni and Al-Hākim. Its narrators

(٧٢٤) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَغْلَقُ الرَّهْنُ مِنْ صَاحِبِهِ الَّذِي رَهَنَهُ، لَهُ غُنْمُهُ وَعَلَيْهِ غُرْمُهُ». رَوَاهُ الدَّارَقُطْنِيُّ وَالحَاكِمُ، وَرِجَالُهُ ثِقَاتٌ، إِلَّا أَنَّ المَحْفُوظَ عِنْدَ أَبِي دَاوُدَ وَغَيْرِهِ إِرْسَالُهُ.

---

not present at the time of the deal. The only condition is that the yield should be ready well in time.

[1] It means that to buy a thing on credit is permissible. The cloth merchant was a Jew and had enmity for the Prophet ﷺ, therefore he refused.

[2] It means that if somebody mortgages his horse or cow against a loan, there are two aspects of its interpretation. Either the debtor will feed his cow or horse and will get the benefit or the creditor will feed the cow or horse and will get the benefit. Whoever feeds the animal deserves the benefit. The *Hadīth* confirms the second view.

[3] According to *Shari'a*, *Rahn* (رهن) means mortgage, i.e. to give some property or belonging to a creditor as a security for payment of a loan or debt.

[4] It means that mortgagee is not the owner of pledged possessions. He merely holds it in his possession. If the pledged possession is destroyed or died, the mortgagee is not

are reliable. However, the strongest opinion is that it is *Mursal* (missing link in the chain after the *Tābi'i*) as reported by Abū Dā'ud and others].

(٧٢٥) وَعَنْ أَبِي رَافِعٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ اسْتَسْلَفَ مِنْ رَجُلٍ بَكْراً، فَقَدِمَتْ عَلَيْهِ إِبِلٌ مِنْ إِبِلِ الصَّدَقَةِ، فَأَمَرَ أَبَا رَافِعٍ أَنْ يَقْضِيَ الرَّجُلَ بَكْرَهُ، فَقَالَ: «لَا أَجِدُ إِلَّا خِيَاراً رَبَاعِيًّا»، قَالَ: «أَعْطِهِ إِيَّاهُ، فَإِنَّ خِيَارَ النَّاسِ أَحْسَنُهُمْ قَضَاءً». رَوَاهُ مُسْلِمٌ.

725. Narrated Abū Rāfi' ﷺ: The Prophet ﷺ borrowed a young camel from a man. So, when some *Sadaqa* camels came to him he ordered Abū Rāfi' (ﷺ) to re-pay the man his young camel. He told him (ﷺ), "I can only find an excellent camel in its seventh year." He said, "Give it to him, for the best of people is he who discharges his debt in the best manner."[1] [Reported by Muslim].

(٧٢٦) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «كُلُّ قَرْضٍ جَرَّ مَنْفَعَةً فَهُوَ رِباً». رَوَاهُ الحَارِثُ بْنُ أَبِي أُسَامَةَ، وَإِسْنَادُهُ سَاقِطٌ.

726. Narrated 'Ali ﷺ: Allāh's Messenger ﷺ said, "Every loan, which leads to a benefit, is usury." [Al-Hārith bin Abū Usama reported it, but its chain of narrators is *Saaqit* (containing an extremely weak narrator)].

وَلَهُ شَاهِدٌ ضَعِيفٌ عَنْ فَضَالَةَ بْنِ عُبَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عِنْدَ البَيْهَقِيِّ، وَآخَرُ مَوْقُوفٌ عَنْ عَبْدِ اللهِ بْنِ سَلَامٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عِنْدَ البُخَارِيِّ.

The aforesaid *Hadīth* has a weak supporting narration, on the authority of Fadāla bin 'Ubaid ﷺ reported by Al-Baihaqi. It also has another *Mawqūf* (saying of a Companion) narration from 'Abdullāh bin Salām ﷺ reported by Al-Bukhāri.

٦ - بَابُ التَّفْلِيسِ وَالحَجْرِ

Chapter 6
BANKRUPTCY AND SEIZURE

(٧٢٧) عَنْ أَبِي بَكْرِ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْنَا

727. Narrated Abū Bakr bin Abdur-Rahmān[2] on the authority of Abū

responsible for that. Similarly, if there is any addition in the pledged possession, he is not the owner of it. Loss and profit, whatever it is, goes to the owner (i.e., mortgager) and not to the mortgagee.

[1] If the debtor gives some profit or something else with the principal money on his own, it is lawful for the creditor to take it. However, if the creditor makes it a condition to return the credit with something additional, it would be regarded as interest and it is unlawful. Returning something better is permissible and lawful for the creditor but if it is made as a compulsory condition to return something better, it is prohibited as it is interest on the principal money.

[2] He is Abū Bakr bin 'Abdur-Rahmān bin Al-Hārith bin Hishām bin Al-Mughira Al-Makhzumi

Huraira ﷺ: We heard Allāh's Messenger ﷺ say, "If a creditor finds his very property with a debtor who becomes bankrupt, he is more entitled to it[1] than anyone else." [Agreed upon].

رَسُولَ اللهِ ﷺ يَقُولُ: «مَنْ أَدْرَكَ مَالَهُ بِعَيْنِهِ عِنْدَ رَجُلٍ قَدْ أَفْلَسَ فَهُوَ أَحَقُّ بِهِ مِنْ غَيْرِهِ». مُتَّفَقٌ عَلَيْهِ.

Abū Dā'ud and Mālik reported the aforesaid *Hadīth* from the narration of Abū Bakr bin Abdur-Rahmān, as *Mursal* (broken chain after the *Tābi'i*), with this wording: "If anyone sells some goods (on credit) and the one who buys them becomes bankrupt, and the seller does not recover any of the price of his goods, and he then finds his very goods (with him), he is more entitled to them (than anyone else). However, if the buyer dies, the owner of the goods finds his actual goods he has most right to them." [Al-Baihaqi reported it with a full chain of narrators but graded it weak, following Abū Dā'ud].

وَرَوَاهُ أَبُو دَاوُدَ وَمَالِكٌ مِّنْ رِوَايَةِ أَبِي بَكْرِ بْنِ عَبْدِ الرَّحْمٰنِ مُرْسَلاً، بِلَفْظِ: «أَيُّمَا رَجُلٍ بَاعَ مَتَاعاً، فَأَفْلَسَ الَّذِي ابْتَاعَهُ، وَلَمْ يَقْبِضِ الَّذِي بَاعَهُ مِنْ ثَمَنِهِ شَيْئاً، فَوَجَدَ مَتَاعَهُ بِعَيْنِهِ، فَهُوَ أَحَقُّ بِهِ، وَإِنْ مَاتَ الْمُشْتَرِي فَصَاحِبُ الْمَتَاعِ أُسْوَةُ الْغُرَمَاءِ». وَوَصَلَهُ الْبَيْهَقِيُّ. وَضَعَّفَهُ تَبَعاً لأَبِي دَاوُدَ.

Abū Dā'ud and Ibn Mājah reported the aforesaid *Hadīth* from the narration of 'Umar bin Khalda[2] which has: "We went to Abū Huraira ﷺ regarding a friend of ours who was bankrupt. He said, 'I shall certainly pronounce judgement about him in accordance with the judgement of Allāh's Messenger ﷺ. Whoever becomes bankrupt or dies, and a person finds his actual goods [remaining with that man], he has most right to them.' "[3] [Al-Hākim graded it

وَرَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ مِنْ رِوَايَةِ عُمَرَ بْنِ خَلْدَةَ، قَالَ: أَتَيْنَا أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ فِي صَاحِبٍ لَّنَا قَدْ أَفْلَسَ، فَقَالَ: لأَقْضِيَنَّ فِيكُمْ بِقَضَاءِ رَسُولِ اللهِ ﷺ: مَنْ أَفْلَسَ أَوْ مَاتَ، فَوَجَدَ رَجُلٌ مَّتَاعَهُ بِعَيْنِهِ فَهُوَ أَحَقُّ بِهِ. وَصَحَّحَهُ الْحَاكِمُ، وَضَعَّفَهُ أَبُو دَاوُدَ، وَضَعَّفَ أَيْضاً هٰذِهِ الزِّيَادَةَ فِي ذِكْرِ الْمَوْتِ.

Al-Madani, the *Qadi* of Al-Madīnah. It is said that his name was Muhammad, Al-Mughira or Abū Bakr, and was nicknamed Abū 'Abdur-Rahmān. It is also said that his name and nickname were the same. He was reliable, knowledgeable and pious. He was a *Tābi'i* of the third generation and died during the caliphate of Al-Walid bin 'Abdul Mālik.

[1] It means that the seller has the right to cancel the deal and take back his goods, if the buyer becomes bankrupt.

[2] He is Abū Hafs Al-Ansāri Al-Madāni Al-Qadi. He was a respectable, strict, pious and reliable man. Abū Huraira and then Rabi'a Ar-Rāyi narrated from him. It was said that Khalda was his grandfather and his father's name was 'Abdur-Rahmān.

[3] If the buyer becomes bankrupt after making a partial payment of a certain purchase, then the seller has not right over the price of the rest of the purchase. He will get his share

Sahih (authentic); Abū Dā'ud graded it *Da'if* (weak). He also considered this addition regarding the mention of 'death' to be weak].

728. Narrated 'Amr bin Ash-Sharīd[1] on the authority of his father[2] : Allāh's Messenger ﷺ said, "Delay in payment on the part of one who possesses the means, makes it lawful to dishonor and punish him."[3] [Abū Dā'ud and An-Nasā'i reported it. Al-Bukhāri reported it as *Mu'allaq* (broken chain from the side of the *Hadith* collector), and Ibn Hibbān graded it *Sahih* (authentic)].

(٧٢٨) وَعَنْ عَمْرِو بْنِ الشَّرِيدِ، عَنْ أَبِيهِ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَيُّ الوَاجِدِ يُحِلُّ عِرْضَهُ وَعُقُوبَتَهُ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَعَلَّقَهُ الْبُخَارِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

729. Narrated Abū Sa'īd Al-Khudri ؓ: In the time of Allāh's Messenger ﷺ a man suffered loss affecting fruits he had bought, owed a large debt and became bankrupt. So, Allāh's Messenger ﷺ said to the people, "Give him *Sadaqa* (charity)." Hence, the people gave him charity. However, that was not enough to repay his debt in full. Therefore, Allāh's Messenger ﷺ said to the creditors, "Take whatever you find,[4] and you will have nothing other than that." [Reported by Muslim].

(٧٢٩) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: أُصِيبَ رَجُلٌ فِي عَهْدِ رَسُولِ اللهِ ﷺ فِي ثِمَارٍ ابْتَاعَهَا، فَكَثُرَ دَيْنُهُ، فَأَفْلَسَ، فَقَالَ رَسُولُ اللهِ ﷺ: «تَصَدَّقُوا عَلَيْهِ»، فَتَصَدَّقَ النَّاسُ عَلَيْهِ، وَلَمْ يَبْلُغْ ذَلِكَ وَفَاءَ دَيْنِهِ، فَقَالَ رَسُولُ اللهِ ﷺ لِغُرَمَائِهِ: «خُذُوا مَا وَجَدْتُمْ، وَلَيْسَ لَكُمْ إِلَّا ذَلِكَ». رَوَاهُ مُسْلِمٌ.

730. Narrated Ibn Ka'b[5] bin Mālik ؓ

(٧٣٠) وَعَنِ ابْنِ كَعْبِ بْنِ مَالِكٍ عَنْ أَبِيهِ

---

according to proportionate division among all of his creditors. In case of death of the debtor, all creditors get proportionate share without any distinction whether who's commodities are sold and who's are unsold.

[1] He is Abul-Walid 'Amr bin Ash-Sharid bin Suwaid Ath-Thaqafi At-Tā'ifi. He was a reliable *Tābi'i* of the third generation.

[2] He is Sharid bin Suwaid Ath-Thaqafi. His name was Mālik, but Allāh's Messenger ﷺ renamed him Sharid (the runaway), because he killed one of his clansmen, ran away to Makkah and became a Muslim. It is said that he was from Hadramout, but was counted as a member of Banu Thaqif or the people of Tā'if.

[3] If a debtor having the means to pay the debt does not pay it intentionally, then the creditor has all the rights to disgrace him in the public and drag him to court for punishment.

[4] The Prophet ﷺ said that this is all that there is. So, he asked the creditors to divide his belongings among themselves proportionately.

[5] Abū Al-Khattāb 'Abdur-Rahmān bin Ka'b bin Mālik Al-Ansāri Al-Madani was reliable and among the great *Tābi'in*. It is said that he was born during the lifetime of the Prophet ﷺ and died during the caliphate of Sulaimān bin 'Abdul-Malik

on the authority of his father[1] : Allāh's Messenger ﷺ seized the wealth of Mu'ādh and sold it in return for a debt he was indebted for. [Ad-Dāraqutni reported it, and Al-Hākim graded it *Sahih* (authentic). Abū Dā'ud reported it as ***Mursal*** (missing like after the ***Tābi'i***) and considered that the strongest opinion is that it is ***Mursal***].

رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ حَجَرَ عَلَى مُعَاذٍ مَالَهُ، وَبَاعَهُ فِي دَيْنٍ كَانَ عَلَيْهِ. رَوَاهُ الدَّارَقُطْنِيُّ، وَصَحَّحَهُ الحَاكِمُ، وَأَخْرَجَهُ أَبُو دَاوُدَ مُرْسَلاً، وَرَجَّحَ إِرْسَالَهُ.

731. Narrated Ibn 'Umar ؓ: I was brought before the Prophet ﷺ on the Day of Uhud[2] when I was fourteen years old, but he did not give me permission (to fight). I was afterwards brought before him on the Day of Al-Khandaq (the battle of Trench) when I was fifteen years of age,[3] and he gave me permission (to fight). [Agreed upon].

(٧٣١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: عُرِضْتُ عَلَى النَّبِيِّ ﷺ يَوْمَ أُحُدٍ، وَأَنَا ابْنُ أَرْبَعَ عَشْرَةَ سَنَةً، فَلَمْ يُجِزْنِي، وَعُرِضْتُ عَلَيْهِ يَوْمَ الخَنْدَقِ، وَأَنَا ابْنُ خَمْسَ عَشْرَةَ سَنَةً، فَأَجَازَنِي. مُتَّفَقٌ عَلَيْهِ.

Al-Baihaqi's narration has: "He did not give me permission (to fight), and did not consider me as having attained puberty." [Ibn Khuzaima graded it *Sahih* (authentic)].

وَفِي رِوَايَةٍ لِلْبَيْهَقِيِّ: فَلَمْ يُجِزْنِي وَلَمْ يَرَنِي بَلَغْتُ». وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

732. Narrated 'Atiya Al-Qurazi[4] ؓ: We were brought before the Prophet ﷺ on the day of Quraiza. Those who had began to grow hair (on their private parts) were killed, while those who had not, were set free. I was among those who had not begun to grow hair, so I was set free. [Reported by *Al-Arba'a*.

(٧٣٢) وَعَنْ عَطِيَّةَ القُرَظِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: عُرِضْنَا عَلَى النَّبِيِّ ﷺ يومَ قُرَيْظَةَ، فَكَانَ مَنْ أَنْبَتَ قُتِلَ، وَمَنْ لَمْ يُنْبِتْ خَلَّى سَبِيلَهُ، فَكُنْتُ مِمَّنْ لَمْ يُنْبِتْ، فَخَلَّى سَبِيلِي. رَوَاهُ الأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ وقَالَ: صَحِيحٌ عَلَى شَرْطِ الشَّيْخَيْنِ.

[1] Ka'ab bin Mālik bin Abū Ka'b Al-Ansāri As-Sulami Al-Madani the poet, was one of the poets of the Prophet ﷺ. He attended the second *Bai'atul-'Aqaba* and all the battles except Badr and Tabuk. He was one of the three whose repentance was mentioned in *Sūrat At-Taubah* (Chapter 9) for remaining behind in Al-Madīnah during the Tabuk expedition. It is said that he died after becoming blind in 50 H. or 51 H. at the age of 77 years.

[2] On the 'Day of Uhud', he was presented before the Prophet ﷺ seeking permission to fight against the infidels.

[3] This *Hadīth* is mentioned here to show that the age of maturity is fifteen years and all the commands of *Shari'a* become obligatory at this age. Therefore, all the deeds and transactions made at this age are valid and all the deals and transactions under the age of fifteen are invalid. Another sign of maturity is pubic hair.

[4] 'Atiya Al-Qurazi was a young *Sabābi* who reported one *Hadīth*. It is said that he settled at Kufa. Ibn 'Abdul-Barr said, "I never found his father's name." Mujahid and others narrated from him.

Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

733. Narrated 'Amr bin Shu'aib on his father's authority from his grandfather (ﷺ): Allāh's Messenger ﷺ said: "It is not permissible for a woman to give a gift without her husband's permission."

(٧٣٣) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا يَجُوزُ لِامْرَأَةٍ عَطِيَّةٌ إِلَّا بِإِذْنِ زَوْجِهَا».

Another wording is: "It is not permissible for a woman to dispose of anything of her wealth[1] if her husband is responsible for her." [Reported by Ahmad and the collectors of *As-Sunan* except At-Tirmidhi and Al-Hākim graded it *Sahih* (authentic)].

وفي لفظ: «لَا يَجُوزُ لِلْمَرْأَةِ أَمْرٌ فِي مَالِهَا، إِذَا مَلَكَ زَوْجُهَا عِصْمَتَهَا». رَوَاهُ أَحْمَدُ وَأَصْحَابُ السُّنَنِ، إِلَّا التِّرمِذِيَّ، وَصَحَّحَهُ الحَاكِمُ.

734. Narrated Qabisa bin Mukhāriq Al-Hilali ﷺ: Allāh's Messenger ﷺ said, "Begging is not lawful except to one of three (people): a man who has become a guarantor for a payment, for whom begging is lawful till he gets it, after which he must stop begging; a man whose wealth has been destroyed by a calamity which has befallen him, for whom begging is lawful till he gets what will support life; and a man who has been struck by poverty, the genuineness of which is confirmed by three intelligent members of his people, so it is lawful for him to beg." [Reported by Muslim].

(٧٣٤) وَعَنْ قَبِيصَةَ بْنِ مُخَارِقٍ الهِلَالِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ المَسْأَلَةَ لَا تَحِلُّ إِلَّا لِأَحَدِ ثَلَاثَةٍ: رَجُلٌ تَحَمَّلَ حَمَالَةً، فَحَلَّتْ لَهُ المَسْأَلَةُ، حَتَّى يُصِيبَهَا، ثُمَّ يُمْسِكُ، وَرَجُلٌ أَصَابَتْهُ جَائِحَةٌ اجْتَاحَتْ مَالَهُ، فَحَلَّتْ لَهُ المَسْأَلَةُ، حَتَّى يُصِيبَ قِوَاماً مِنْ عَيْشٍ، وَرَجُلٌ أَصَابَتْهُ فَاقَةٌ، حَتَّى يَقُولَ ثَلَاثَةٌ مِنْ ذَوِي الحِجَى مِنْ قَوْمِهِ: لَقَدْ أَصَابَتْ فُلَاناً فَاقَةٌ، فَحَلَّتْ لَهُ المَسْأَلَةُ». رَوَاهُ مُسْلِمٌ.

Chapter 7 RECONCILIATION

٧ - بَابُ الصُّلْحِ

735. Narrated 'Amr bin 'Auf Al-Muzani[2] ﷺ: Allāh's Messenger ﷺ said,

(٧٣٥) عَنْ عَمْرِو بْنِ عَوْفٍ المُزَنِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ:

[1] A woman can handle her own wealth without the permission of her husband. What is her own property? Her dowry, her inherited property, and the profit of business from her own wealth, is all considered her own property and her husband has no right over it. A woman can give to her husband whatever she wants, and it is lawful for the husband. The incident of 'Abdullāh bin Mas'ūd and his wife mentioned previously, would never have happened if the woman had no right to deal with her wealth.

[2] He is Abū 'Abdullāh 'Amr bin 'Auf bin Zaid bin Milha Al-Muzani (of the Muzaina tribe), the grand father of Kathir bin 'Abdullāh. He became a Muslim early, attended Badr and the Prophet ﷺ appointed him over the *Haram* of Al-Madīnah. He was one of those who used to

"Reconciliation[1] is permissible between Muslims, except one which makes unlawful something which is lawful, or makes lawful something which is unlawful;[2] and Muslims must abide by their conditions (which they have made), except for a condition which makes unlawful something which is lawful, or makes lawful something which is unlawful." [At-Tirmidhi reported it and graded it *Sahih* (authentic). However, the *Hadīth* scholars renounced him [for grading this *Hadith* as *Sahih*] because the narration of Kathir bin 'Abdullāh bin 'Amr bin 'Auf is weak.[3] It as though At-Tirmidhi considered it (reliable) due to its many chains of narration]. Ibn Hibbān declared the aforesaid *Hadīth* to be *Sahih* (authentic) from the narration of Abū Huraira ﷺ.

«الصُّلْحُ جَائِزٌ بَيْنَ الْمُسْلِمِينَ، إِلَّا صُلْحاً حَرَّمَ حَلَالاً، أَوْ أَحَلَّ حَرَاماً، وَالْمُسْلِمُونَ عَلَى شُرُوطِهِمْ. إِلَّا شَرْطاً حَرَّمَ حَلَالاً، أَوْ أَحَلَّ حَرَاماً». رَوَاهُ التِّرْمِذِيُّ، وَصَحَّحَهُ، وَأَنْكَرُوا عَلَيْهِ، لِأَنَّ رَاوِيَهُ كَثِيرَ بْنَ عَبْدِ اللهِ بْنِ عَمْرِو بْنِ عَوفٍ ضَعِيفٌ، وَكَأَنَّهُ اعْتَبَرَهُ بِكَثْرَةِ طُرُقِهِ، وَقَدْ صَحَّحَهُ ابْنُ حِبَّانَ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ.

736. Narrated Abū Huraira ﷺ: The Prophet ﷺ said, "One must not prevent his neighbor from fixing a wooden peg in his wall."[4] Abū Huraira ﷺ then said, "Why do I see you turning away (averse to this *Sunnah*)? I swear by Allāh that I will always narrate it to you." [Agreed upon].

(٧٣٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَا يَمْنَعْ جَارٌ جَارَهُ أَنْ يَغْرِزَ خَشَبَةً فِي جِدَارِهِ»، ثُمَّ يَقُولُ أَبُو هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: مَا لِي أَرَاكُمْ عَنْهَا مُعْرِضِينَ؟ وَاللهِ لَأَرْمِيَنَّ بِهَا بَيْنَ أَكْتَافِكُمْ. مُتَّفَقٌ عَلَيْهِ.

---

fear Allah much and shed tears. He died during the caliphate of Mu'āwiya.

[1] In Arabic, *Sulh* (الصلح) means peace. There are many kinds of *Sulh* such as a treaty between Muslim and non-Muslims, a rapprochement between husband and wife, a truce between rebels and government, a concord of two angry persons and agreement in financial disputes. Here we mean the last mentioned. In financial disputes which agreement is lawful and which is unlawful and what are the conditions of agreements.

[2] The basic principle about agreement is that it should not be against any law of *Shari'a* and it should not change unlawful into lawful and vice versa. The example of changing unlawful into lawful is to say that, in undue favor of someone, one would definitely disgrace so-and-so; and changing lawful into unlawful is to say that, in undue favor, someone would make a separation from one's wife.

[3] Ash-Shāfi'i and Abū Dā'ud described him as, "one of the pillars of falsehood." Ahmad said, "His *Ahadīth* are *Munkar* (rejected) and he is nothing." An-Nasā'i said, "He is not reliable," and Ibn Hibbān said, "He has a fabricated book of *Hadīth* purported to have been narrated by him from his father who narrated from his grandfather."

[4] The *Shari'a* has decided in the course of social rights that a neighbor can place his beam in the wall of his neighbor [from his own side].

737. Narrated Abū Humaid As-Sā'idi ﷺ: Allāh's Messenger ﷺ said, "It is not lawful for a person to take his brother's stick except if he is pleased with such." [Ibn Hibbān and Al-Hākim reported it in their two *Sahih* books].

(٧٣٧) وَعَنْ أَبِي حُمَيْدٍ السَّاعِدِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَحِلُّ لِامْرِئٍ أَنْ يَأْخُذَ عَصَا أَخِيهِ بِغَيْرِ طِيبِ نَفْسٍ مِنْهُ». رَوَاهُ ابْنُ حِبَّانَ وَالحَاكِمُ فِي صَحِيحَيْهِمَا.

Chapter 8
THE TRANSFER OF A DEBT AND SURETY

٨ - بَابُ الحَوَالَةِ وَالضَّمَانِ

738. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Delay in payment by a rich man is injustice. So, if one of you is referred for payment to a wealthy man[1] he should accept the reference." [Agreed upon]. A narration by Ahmad has: "And if anyone is referred to another, let him accept that."

(٧٣٨) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَطْلُ الغَنِيِّ ظُلْمٌ، وَإِذَا أُتْبِعَ أَحَدُكُمْ عَلَى مَلِيءٍ فَلْيَتْبَعْ». مُتَّفَقٌ عَلَيْهِ، وَفِي رِوَايَةٍ لِأَحْمَدَ: فَلْيَحْتَلْ.

739. Narrated Jābir ﷺ : A man from among us died, so we washed, embalmed and shrouded him. We then brought him to Allāh's Messenger ﷺ and asked him to pray over him. He went forward some steps and then asked, "Does he have any debt against him?" We replied, "Two Dinars." He turned away, but Abū Qatāda (ﷺ) took upon himself the bearing of them. We then came to him (again) (ﷺ) and Abū Qatāda (ﷺ) said, "I shall discharge the two Dinars." Allāh's Messenger ﷺ thereupon said, "[Will you be responsible for paying them as] a right to the creditor; and the dead man will then be free from them?" He replied, "Yes." So, he prayed over him.[2]

(٧٣٩) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: تُوُفِّيَ رَجُلٌ مِنَّا، فَغَسَّلْنَاهُ، وَحَنَّطْنَاهُ، وَكَفَّنَّاهُ، ثُمَّ أَتَيْنَا بِهِ رَسُولَ اللهِ ﷺ، فَقُلْنَا: تُصَلِّي عَلَيْهِ، فَخَطَا خُطاً، ثُمَّ قَالَ: أَعَلَيْهِ دَيْنٌ؟ قُلْنَا: دِينَارَانِ، فَانْصَرَفَ، فَتَحَمَّلَهُمَا أَبُو قَتَادَةَ، فَأَتَيْنَاهُ، فَقَالَ أَبُو قَتَادَةَ: الدِّينَارَانِ عَلَيَّ، فَقَالَ رَسُولُ اللهِ ﷺ: «حَقَّ الغَرِيمِ؟ وَبَرِئَ مِنْهُمَا المَيِّتُ؟» قَالَ: نَعَمْ، فَصَلَّى عَلَيْهِ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

[1] The word *Hawala* (الحوالة) has two meanings: First, a debtor can give a wealthy man's surety for the loan given to him. This is permitted by the *Shari'a*. Secondly, a debtor is allowed to consign his creditor to his own debtor. For example, A owes ten Dirhams to B, and B owes ten Dirhams to C. Now B is allowed to consign A to C. This is also permitted by the *Shari'a* provided A agrees to it.

[2] It means that a loan, or other rights of human beings, will not be forgiven unless these are forgiven by the rightful person or creditor. Even after death, they stand payable.

[Reported by Ahmad, Abū Dā'ud and An-Nasā'i. Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

740. Narrated Abū Huraira ﷺ: A man who had died in debt would be brought to Allāh's Messenger ﷺ and he would ask, "Has he left anything to discharge his debt?" If he was told that he had left enough[1] he would pray over him. Otherwise, he would say, "Pray over your companion." Then, when Allāh brought the conquests (of other lands) at his hands he said, "I am closer to the believers than their own selves. So, whoever dies leaving a debt, the responsibility[2] for repaying it shall be upon me." [Agreed upon]. A narration by Al-Bukhāri has: "Whoever dies and leaves nothing to discharge his debt..."

(٧٤٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ كَانَ يُؤْتَى بِالرَّجُلِ الْمُتَوَفَّى عَلَيْهِ الدَّيْنُ، فَيَسْأَلُ، «هَلْ تَرَكَ لِدَيْنِهِ مِنْ قَضَاءٍ»؟ فَإِنْ حُدِّثَ أَنَّهُ تَرَكَ وَفَاءً، صَلَّى عَلَيْهِ، وَإِلَّا قَالَ: «صَلُّوا عَلَى صَاحِبِكُمْ»، فَلَمَّا فَتَحَ اللَّهُ عَلَيْهِ الفُتُوحَ قَالَ: «أَنَا أَوْلَى بِالْمُؤْمِنِينَ مِنْ أَنْفُسِهِمْ، فَمَنْ تُوُفِّيَ وَعَلَيْهِ دَيْنٌ، فَعَلَيَّ قَضَاؤُهُ». مُتَّفَقٌ عَلَيْهِ، وَفِي رِوَايَةٍ لِلْبُخَارِيِّ: «فَمَنْ مَاتَ وَلَمْ يَتْرُكْ وَفَاءً».

741. Narrated 'Amr bin Shu'aib on his father's authority from his grandfather (ﷺ): Allāh's Messenger ﷺ said, "No surety is allowed regarding a prescribed punishment."[3] [Reported by Al-Baihaqi with a *Da'if* (weak) chain of narrators].

(٧٤١) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا كَفَالَةَ فِي حَدٍّ». رَوَاهُ الْبَيْهَقِيُّ بِإِسْنَادٍ ضَعِيفٍ.

Chapter 9
PARTNERSHIP AND AGENCY

٩ - بَابُ الشَّرِكَةِ وَالوَكَالَةِ

742. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Allāh, the Most

(٧٤٢) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ

[1] Enough wealth to pay off his debt.

[2] My responsibility does not mean the person of the Prophet ﷺ. In those days the public treasury was in the custody of the Prophet ﷺ. Therefore he said, "My responsibility". After the Prophet ﷺ, this responsibility shifted to the head of the state, as it is clear from another *Hadīth*.

[3] *Hudūd* (الحدود) – Legal prescribed punishments in Islam. There is no bail in *Hudūd*. For instance, there should be no bail in theft, adultery and fornication, slander and drinking wine. There are several reasons why there should be no bail for these crimes:

i) Basically bail is to strengthen the demand, whereas in applying *Hudūd*, the basic principle is that the proof against the accused should be made weak and benefit of doubt should go to the accused.

ii) Bail makes a delay in the process of decision making, and there is no surety that the accused will be proven innocent or punished. If the allegation is proven, than there is no

High, said, 'I am the third (partner) of two partners as long as one of them does not cheat his companion. Then, if he cheats (his partner) I depart from them.' "[1] [Reported by Abū Dā'ud and Al-Hākim graded it *Sahih* (authentic)].

قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «قَالَ اللَّهُ تَعَالَى: أَنَا ثَالِثُ الشَّرِيكَيْنِ مَا لَمْ يَخُنْ أَحَدُهُمَا صَاحِبَهُ، فَإِذَا خَانَ خَرَجْتُ مِنْ بَيْنِهِمَا». رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ الحَاكِمُ.

743. Narrated As-Sāib Al-Makhzumi[2] ﷺ: That he was the partner of the Prophet ﷺ before the Prophethood. Then, he came (to Makkah) on the day of the Conquest (of Makkah), and he (the Prophet) said, "Welcome to my brother and my partner."[3] [Reported by Ahmad, Abū Dā'ud and Ibn Mājah].

(٧٤٣) وَعَنِ السَّائِبِ المَخْزُومِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ كَانَ شَرِيكَ النَّبِيِّ ﷺ قَبْلَ البِعْثَةِ، فَجَاءَ يَوْمَ الفَتْحِ، فَقَالَ: «مَرْحَباً بِأَخِي وَشَرِيكِي». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَابْنُ مَاجَهْ.

744. Narrated 'Abdullāh bin Mas'ūd ﷺ: "Ammār, Sa'd, and I agreed to be partners in whatever we would get (from the spoils of war) on the day of Badr." The narrator quoted the rest of the *Hadīth* which concludes: "Then Sa'd brought two captives, but neither 'Ammār nor I brought anything." [Reported by An-Nasā'i and others].

(٧٤٤) وَعَنْ عَبْدِ اللهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: اشْتَرَكْتُ أَنَا وَعَمَّارٌ وَسَعْدٌ فِيمَا نُصِيبُ يَوْمَ بَدْرٍ، الْحَدِيثَ، وَتَمَامُهُ: «فَجَاءَ سَعْدٌ بِأَسِيرَيْنِ، وَلَمْ أَجِئْ أَنَا وَعَمَّارٌ بِشَيْءٍ». رَوَاهُ النَّسَائِيُّ وَغَيْرُهُ.

745. Narrated Jābir bin 'Abdullāh ﷺ: I intended to go to Khaibar, so I went to the Prophet ﷺ and he said, "When you meet my agent[4] at Khaibar take fifteen *Wasq* (of dates) from him." [Abū Dā'ud reported and graded it *Sahih* (authentic)].

(٧٤٥) وَعَنْ جَابِرِ بْنِ عَبْدِاللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أَرَدْتُ الخُرُوجَ إِلَى خَيْبَرَ، فَأَتَيْتُ النَّبِيَّ ﷺ، فَقَالَ: «إِذَا أَتَيْتَ وَكِيلِي بِخَيْبَرَ، فَخُذْ مِنْهُ خَمْسَةَ عَشَرَ وَسْقاً». رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ.

---

question of pardon in *Hudūd*.

iii) The guarantor has to produce the accused for trial; and in the absence of accused, the guarantor has to bear the responsibility. However, the punishments of *Hudūd* are only applied on the culprit and not on anyone else.

[1] It means that financial or physical partnership is lawful provided it is with honesty. Honest partnership brings profit and dishonest partnership brings loss to partners.

[2] Ibn Al-Jawzi mentioned in *At-Talqih* that his name was Saifi bin 'Aaidh Al-Makhzumi. Ibn 'Abdul-Barr said he was among *Al-Mu'allafatul-Qulub* and he became a good Muslim. He was elderly and lived up to the caliphate of Mu'āwiya.

[3] It means partnership was customary before the Prophet ﷺ and Islam refined its shape and allowed it to continue.

[4] It means that one can appoint an attorney regarding financial matters. There is another *Hadīth* in which Jābir asked the Prophet ﷺ how he should answer if someone requested from him a sign for the surrender of the dates. The Prophet ﷺ told him to put his hand on the palm of the inquirer, as if the Prophet ﷺ had already decided the sign.

746. Narrated 'Urwa Al-Bāriqi ﷺ: Allah's Messenger ﷺ sent him with a Dinar to buy a sacrificial animal for him. [The reporter mentioned the rest of the *Hadīth*. Al-Bukhāri reported it in the context of another previously mentioned *Hadīth*].

(٧٤٦) وَعَنْ عُرْوَةَ البَارِقِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ بَعَثَهُ بِدِينَارٍ يَشْتَرِي لَهُ أُضْحِيَّةً، ٱلْحَدِيثَ. رَوَاهُ البُخَارِيُّ فِي أَثْنَاءِ حَدِيثٍ، وَقَدْ تَقَدَّمَ (برقم ٦٨٦).

747. Narrated Abū Huraira ﷺ: "Allāh's Messenger ﷺ sent 'Umar to collect the *Sadaqa*." The reporter mentioned the rest of the *Hadīth*. [Agreed upon].

(٧٤٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: بَعَثَ رَسُولُ اللهِ ﷺ عُمَرَ عَلَى الصَّدَقَةِ، ٱلْحَدِيثَ. مُتَّفَقٌ عَلَيْهِ.

748. Narrated Jābir ﷺ: "The Prophet ﷺ slaughtered sixty-three (sacrificial) camels and ordered 'Ali[1] ﷺ to slaughter the remainder [thirty-seven]." The reporter mentioned the rest of the *Hadīth*. [Reported by Muslim].

(٧٤٨) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَحَرَ ثَلَاثاً وَسِتِّينَ وَأَمَرَ عَلِيًّا رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنْ يَذْبَحَ البَاقِيَ، ٱلْحَدِيثَ. رَوَاهُ مُسْلِمٌ.

749. Narrated Abū Huraira ﷺ regarding the story of the hired servant: The Prophet ﷺ said, "Unais, go (in the morning) to this man's wife, and if she confesses, stone her to death."[2] The reporter mentioned the rest of the *Hadīth*. [Agreed upon].

(٧٤٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فِي قِصَّةِ العَسِيفِ، قَالَ النَّبِيُّ ﷺ: «وَاغْدُ يَا أُنَيْسُ! عَلَى امْرَأَةِ هَذَا، فَإِنِ اعْتَرَفَتْ فَارْجُمْهَا»، ٱلْحَدِيثَ. مُتَّفَقٌ عَلَيْهِ.

Chapter 10
AL- IQRAR[3]
(THE CONFESSION)

١٠ - بَابُ الإِقْرَارِ

750. Narrated Abū Dhar ﷺ: Allāh's Messenger ﷺ said to me, "Say the truth even though it is bitter (i.e. difficult to admit)." [Ibn Hibbān graded it *Sahih* (authentic) as a part of a long *Hadīth*].

(٧٥٠) عَنْ أَبِي ذَرٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ لِي النَّبِيُّ ﷺ: «قُلِ الحَقَّ وَلَوْ كَانَ مُرًّا». وَصَحَّحَهُ ابْنُ حِبَّانَ فِي حَدِيثٍ طَوِيلٍ.

Chapter 11
AL-'AARIYA[4] (THE LOAN)

١١ - بَابُ ٱلْعَارِيَةِ

751. Narrated Samura bin Jundub ﷺ:

(٧٥١) عَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ

[1] It means that appointing an attorney for sacrifice (of animals) is also lawful.

[2] It means that appointment of an attorney to enforce the punishment of *Hudūd* is lawful.

[3] *Iqrār* (الإقرار) means to confirm something, and according to *Shari'a* terminology, *Iqrār* means a person's admission of what he has done. It is the opposite of denial.

[4] *'Aariya* (العارية) means allowing someone else to use one's property, or its profit, while

Allāh's Messenger ﷺ said, "The hand (which takes) is responsible for what it has taken till it returns it." [Reported by Ahmad and *Al-Arba'a*. Al-Hākim graded it *Sahib* (authentic)].

تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «عَلَى الْيَدِ مَا أَخَذَتْ، حَتَّى تُؤَدِّيَهُ». رَوَاهُ أَحْمَدُ والأَرْبَعَةُ، وَصَحَّحَهُ الحَاكِمُ.

752. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Give back what has been entrusted (to you) to him who entrusted you, and do not violate the trust of him who violates your trust." [Reported by At-Tirmidhi and Abū Dā'ud; At-Tirmidhi graded it *Hasan* (good) and Al-Hākim graded it *Sahib* (authentic). Abū Hātim Ar-Rāzi considered it *Munkar* (rejected)].

(٧٥٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَدِّ الأَمَانَةَ إِلَى مَنِ ائْتَمَنَكَ، وَلَا تَخُنْ مَنْ خَانَكَ». رَوَاهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ، وَصَحَّحَهُ الحَاكِمُ، وَاسْتَنْكَرَهُ أَبُو حَاتِمٍ الرَّازِيُّ.

753. Narrated Ya'la bin Umaiya ﷺ: Allāh's Messenger ﷺ said to me, "When my messengers come to you, give them thirty coats of armor." I asked, "O Allāh's Messenger, is it a loan with a *guarantee* (of its return), or a borrowed object that must be returned?" He replied, "No, it is a borrowed object that must be returned."[1] [Reported by Ahmad, Abū Dā'ud and An-Nasā'i. Ibn Hibbān graded it *Sahib* (authentic)].

(٧٥٣) وَعَنْ يَعْلَى بْنِ أُمَيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ لِي رَسُولُ اللهِ ﷺ: «إِذَا أَتَتْكَ رُسُلِي فَأَعْطِهِمْ ثَلَاثِينَ دِرْعاً»، قُلْتُ: يَا رَسُولَ اللهِ! أَعَارِيَةٌ مَضْمُونَةٌ، أَوْ عَارِيَةٌ مُؤَدَّاةٌ؟ قَالَ: بَلْ عَارِيَةٌ مُؤَدَّاةٌ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

754. Narrated Safwān bin Umaiya[2] ﷺ: At the battle of Hunain, the Prophet ﷺ borrowed coats of mail from him and he asked, "Are you taking them by

(٧٥٤) وَعَنْ صَفْوَانَ بْنِ أُمَيَّةَ، أَنَّ النَّبِيَّ ﷺ اسْتَعَارَ مِنْهُ دُرُوعاً يَوْمَ حُنَيْنٍ، فَقَالَ: أَغَصْباً يَا

---

retaining the ownership of that thing.

[1] In Arabic, *'Aariya Madmūna* (عارية مضمونة) means *guaranteed-loan* and *'Aariya Mu'adda* (عارية مؤداة) means a borrowed object (without guarantee). Regarding the first, guarantee is essential. Suppose somebody takes an object as *'Aariya Madmūna* and the object borrowed is destroyed or damaged while in his custody, it is agreed upon that the borrower will have to pay for its cost, that is why it is called *'Aariya Madmuna*. However, if somebody borrows an object on trust for a while as *Aariya Mu'adda* (without guarantee) and that object is destroyed or damaged while in his custody – without any negligence on his part – he will not be charged for the loss or damage.

[2] He is Safwān bin Umayia bin Khalaf bin Wahb Al-Qurashi Al-Jumahi Al-Makki, a *Sahābi* among *Al-Mu'allafatul-Qulub*. He was one of the noble men of Quraish. He ran away on the day of the Conquest of Makkah and returned after the Prophet ﷺ accepted the request of giving him an amnesty. He then attended with the Prophet ﷺ the battle of Hunain while still a *Kafir*. Then, he then became a Muslim and a good one too. He died during the days of the killing of Uthmān رضي الله عنه.

force, O Muhammad (ﷺ)?" He replied, "No, it is a loan with a guarantee of their return."[1] [Reported by Abū Dā'ud and An-Nasā'i; Al-Hākim graded it *Sahih* (authentic). He also reported for this *Hadith* a *Shāhid* (supporting narration) which is weak, from Ibn 'Abbas].

مُحَمَّدُ (ﷺ)! قَالَ: «بَلْ عَارِيَةٌ مَضْمُونَةٌ». رَوَاهُ أَبُو دَاوُدَ، وَأَحْمَدُ، وَالنَّسَائِيُّ، وَصَحَّحَهُ الحَاكِمُ، وَأَخْرَجَ لَهُ شَاهِداً ضَعِيفاً عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا.

Chapter 12
AL-GHASB[2] (THE WRONGFUL APPROPRIATION)

١٢ - بَابُ الغَصْبِ

755. Narrated Sa'īd bin Zaid ﷺ: Allāh's Messenger ﷺ said, "If anyone takes a span of land unjustly, on the Day of Resurrection Allāh will strangle him with it from seven earths."[3] [Agreed upon].

(٧٥٥) عَنْ سَعِيدِ بْنِ زَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَنِ اقْتَطَعَ شِبْراً مِنَ الأَرْضِ ظُلْماً، طَوَّقَهُ اللَّهُ إِيَّاهُ يَوْمَ القِيَامَةِ مِنْ سَبْعِ أَرَضِينَ». مُتَّفَقٌ عَلَيْهِ.

756. Narrated Anas ﷺ: The Prophet ﷺ was with one of his wives when one[4] of the Mothers of the Believers (another of his wives) sent a bowl containing food with a servant of hers. Then, she (in whose house he was) struck it with her hand and the bowl was broken. He collected the pieces of the bowl and began to collect the food in it and said, "You eat,"[5] and gave an unbroken bowl to the messenger (servant) and kept the broken one. [Reported by Al-Bukhāri and At-Tirmidhi] The latter named the one who broke it as 'Aisha (ﷺ) and added: The Prophet ﷺ then said, "Food for food, and a vessel for a vessel."[6] [At-Tirmidhi graded it *Sahih* (authentic)].

(٧٥٦) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ عِنْدَ بَعْضِ نِسَائِهِ، فَأَرْسَلَتْ إِحْدَى أُمَّهَاتِ المُؤْمِنِينَ مَعَ خَادِمٍ لَهَا بِقَصْعَةٍ فِيهَا طَعَامٌ، فَضَرَبَتْ يَدَهَا فَكَسَرَتِ القَصْعَةَ، فَضَمَّهَا، وَجَعَلَ فِيهَا الطَّعَامَ وَقَالَ: كُلُوا، وَدَفَعَ القَصْعَةَ الصَّحِيحَةَ لِلرَّسُولِ، وَحَبَسَ المَكْسُورَةَ. رَوَاهُ البُخَارِيُّ وَالتِّرْمِذِيُّ، وَسَمَّى الضَّارِبَةَ عَائِشَةَ، وَزَادَ: فَقَالَ النَّبِيُّ ﷺ: «طَعَامٌ بِطَعَامٍ وَإِنَاءٌ بِإِنَاءٍ». وَصَحَّحَهُ.

[1] If somebody borrows a thing, and it is damaged by chance, the borrower will not be charged for that, but if it is proved that the damage is intentional or the result of his carelessness then he will have to pay for it.

[2] *Ghasb* (الغصب) means taking someone's property or belongings by force or usurpation.

[3] It means that the usurpation of someone else's land is a major sin. Usurpation of land is to take over the land of others by force and start cultivation.

[4] This was Safiya ﷺ who had sent this meal.

[5] Speaking to those who were with him.

[6] There is a difference of opinion on this issue. If a thing is broken or damaged from the

757. Narrated Rāfi' bin Khadij ﷺ: Allāh's Messenger ﷺ said, "Whoever sows in the land of a people without their permission, he has no right to any of the crop. However, he is entitled to what he spent[1] on it." [Reported by Ahmad and *Al-Arba'a* except An-Nasā'i. At-Tirmidhi graded it *Sahih* (authentic), but it has been said that Al-Bukhāri graded it *Da'if* (weak)].

(٧٥٧) وَعَنْ رَافِعِ بْنِ خَدِيجٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ زَرَعَ فِي أَرْضِ قَوْمٍ بِغَيْرِ إِذْنِهِمْ، فَلَيْسَ لَهُ مِنَ الزَّرْعِ شَيْءٌ، وَلَهُ نَفَقَتُهُ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ إِلَّا النَّسَائِيَّ، وَحَسَّنَهُ التِّرْمِذِيُّ، وَيُقَالُ: إِنَّ البُخَارِيَّ ضَعَّفَهُ.

758. Narrated 'Urwa bin Az-Zubair[2] ﷺ: A man among the Companions of Allāh's Messenger ﷺ said, "Two men brought a dispute before Allāh's Messenger ﷺ concerning a land in which one of them had planted palm trees and the land belonged to the other. So, Allāh's Messenger ﷺ ruled that the land belongs to its owner, and commanded the owner of the palm trees to uproot his palm trees. He said, "The labor of an unjust person[3] has no right." [Reported by Abū Dā'ud and its chain of narrators is *Hasan* (good). The last (quoted) part of the aforesaid *Hadith* is found in the books of the collectors of *As-Sunan*, from 'Urwa's narration on the authority of Sa'īd bin Zaid. However, there is disagreement regarding whether it is *Mawsūl* (an unbroken chain) or *Mursal* (missing link after the *Tābi'ī*) as well as the determination of the name of the

(٧٥٨) وَعَنْ عُرْوَةَ بْنِ الزُّبَيْرِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَجُلٌ مِّنْ أَصْحَابِ رَسُولِ اللهِ ﷺ: إِنَّ رَجُلَيْنِ اخْتَصَمَا إِلَى رَسُولِ اللهِ ﷺ فِي أَرْضٍ غَرَسَ أَحَدُهُمَا فِيهَا نَخْلاً وَالأَرْضُ لِلآخَرِ، فَقَضَى رَسُولُ اللهِ ﷺ بِالأَرْضِ لِصَاحِبِهَا، وَأَمَرَ صَاحِبَ النَّخْلِ أَنْ يُخْرِجَ نَخْلَهُ: وَقَالَ: لَيْسَ لِعِرْقٍ ظَالِمٍ حَقٌّ. رَوَاهُ أَبُو دَاوُدَ، وَإِسْنَادُهُ حَسَنٌ. وَآخِرُهُ عِنْدَ أَصْحَابِ السُّنَنِ مِنْ رِوَايَةِ عُرْوَةَ عَنْ سَعِيدِ بْنِ زَيْدٍ، وَاخْتُلِفَ فِي وَصْلِهِ وَإِرْسَالِهِ، وَفِي تَعْيِينِ صَحَابِيِّهِ.

borrower, he will have to pay the price, or replace the thing with something similar to it. This difference of opinion is limited to priceable objects only; regarding other things, the object or thing should be similar to that of the broken or damaged one. This Hadīth prefers returning of similar objects.

[1] If somebody starts cultivating someone else's land without the prior permission of the owner, he is no right to any of the produce. The most he can claim is the price of the seed, and rest of the produce will go to the owner.

[2] He is Abū 'Abdullāh 'Urwa bin Az-Zubair bin Al-'Awwām bin Khuwailid Al-Asadi Al-Madāni who was one of the great *Tābi'in* and one of the seven *Fiqh* scholars in Al-Madīnah. He was a reliable and prominent *Fiqh* scholar. He was born at the beginning of 'Umar's Caliphate. It is also said that he was born in 23 H. and died in 94 H. as has been correctly established.

[3] The Arabic word *Zālim* (ظالم) in this context means cruel or unjust, or a person who builds a house, starts cultivation or plants trees in someone else's land.

Companion who heard it from the Prophet ﷺ.

759. Narrated Abū Bakra ؓ: In his *Khutba* (religious talk – sermon) on the Day of Sacrifice at Mina, the Prophet ﷺ said, "Your blood and your property and your honor are forbidden for you to violate, like the sacredness of this day of yours, in this month of yours, in this city of yours."[1] [Agreed upon].

(٧٥٩) وَعَنْ أَبِي بَكْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ فِي خُطْبَتِهِ يَوْمَ النَّحْرِ بِمِنًى: «إِنَّ دِمَاءَكُمْ وَأَمْوَالَكُمْ وَأَعْرَاضَكُمْ عَلَيْكُمْ حَرَامٌ، كَحُرْمَةِ يَوْمِكُمْ هَذَا، فِي بَلَدِكُمْ هَذَا، فِي شَهْرِكُمْ هَذَا». مُتَّفَقٌ عَلَيْهِ.

Chapter 13
ASH-SHUF'A[2] (THE OPTION TO BUY A PARTNER'S SHARE IN PROPERTY)

١٣ - بَابُ الشُّفْعَةِ

760. Narrated Jābir bin 'Abdullāh ؓ: Allāh's Messenger ﷺ ruled that the option to buy a partner's share in property is applicable to everything that has not been divided. However, when boundaries are fixed and separate roads are made there is no partner's option." [Agreed upon; the wording is Al-Bukhāri's]. Muslim's narration has: "The option to buy a partner's share in property is applicable to everything which is shared, whether land, a dwelling or a garden and it is not lawful to sell before informing one's partner."[3] At-Tahāwis narration has: "The Prophet ﷺ ruled for the right of partner's option regarding everything." [Its narrators are reliable].

(٧٦٠) عَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَضَى رَسُولُ اللهِ ﷺ بِالشُّفْعَةِ فِي كُلِّ مَا لَمْ يُقْسَمْ، فَإِذَا وَقَعَتِ الْحُدُودُ وَصُرِّفَتِ الطُّرُقُ فَلَا شُفْعَةَ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ. وَفِي رِوَايَةِ مُسْلِمٍ: الشُّفْعَةُ فِي كُلِّ شِرْكٍ، فِي أَرْضٍ، أَوْ رَبْعٍ، أَوْ حَائِطٍ، لَا يَصْلُحُ - وَفِي لَفْظٍ: «لَا يَحِلُّ - أَنْ يَبِيعَ حَتَّى يَعْرِضَ عَلَى شَرِيكِهِ. وَفِي رِوَايَةِ الطَّحَاوِيِّ: «قَضَى النَّبِيُّ ﷺ بِالشُّفْعَةِ فِي كُلِّ شَيْءٍ». وَرِجَالُهُ ثِقَاتٌ.

[1] This *Hadīth* is mentioned here merely to show that to usurp the property of a Muslim is unlawful, and all agree on this point.

[2] It should be known that *Shuf'a* – pre-emption is on immovable property only, such as a house, shop, garden or land, etc. There is a difference of opinion among religious scholars on the question 'Who has the right of pre-emption?' Some of the scholars say that only a partner of the sold property has the right of pre-emption, while a mere neighbor has no right. Some others say that a neighbour has also got the right. Ibn Qaiyim says that a neighbour who is not a partner in the sold property but has the common entrance, also has the right of pre-emption, and that temporary absence of the partner does not annul his right.

[3] It means that the seller should inform his partner about the sale of property beforehand.

761. Narrated Abū Rāfi' ﷺ: Allāh's Messenger ﷺ said, "The neighbor has more right (to be given preference) to the property which is near to him." [Al-Bukhāri reported it, and there is a story related to it.[1]]

(٧٦١) وَعَنْ أَبِي رَافِعٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الجَارُ أَحَقُّ بِصَقَبِهِ». أَخْرَجَهُ البُخَارِيُّ، وَفِيهِ قِصَّةٌ.

762. Narrated Anas bin Mālik ﷺ: Allāh's Messenger ﷺ said, "The neighbor of the house has the most right to buy it." [Reported by An-Nasā'i. Ibn Hibbān graded it *Sahih* (authentic), but it (this chain from Qatāda from Anas) has a defect].

(٧٦٢) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «جَارُ الدَّارِ أَحَقُّ بِالدَّارِ». رَوَاهُ النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَلَهُ عِلَّةٌ.

763. Narrated Jābir ﷺ: Allah's Messenger ﷺ said, "The neighbor is most entitled to the right of option to buy his neighbor's property, and its exercise should be waited for, even if he is absent, if the two properties have one road." [Reported by Ahmad and *Al-Arba'a*; its narrators are reliable (*thiqah*)].

(٧٦٣) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الجَارُ أَحَقُّ بِشُفْعَةِ جَارِهِ، يُنْتَظَرُ بِهَا، وَإِنْ كَانَ غَائِباً، إِذَا كَانَ طَرِيقُهُمَا وَاحِداً». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَرِجَالُهُ ثِقَاتٌ.

764. Narrated Ibn 'Umar ﷺ : The Prophet ﷺ said, "The option to buy neighboring property is like loosening the knot[2] (which restrains the camel)" [Reported by Ibn Mājah and Al-Bazzār, who added: "And there is no option to buy a neighboring property for one who is absent." Its chain of narrators is *Da'if* (weak)].

(٧٦٤) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «الشُّفْعَةُ كَحَلِّ العِقَالِ». رَوَاهُ ابْنُ مَاجَهْ وَالبَزَّارُ، وَزَادَ: «وَلَا شُفْعَةَ لِغَائِبٍ». وَإِسْنَادُهُ ضَعِيفٌ.

[1] The story goes like this that Abū Rafi' – in the presence of Miswar bin Makhrama – approached Sa'd Ibn Abi Waqqas and asked him to buy his (Abū Rāfi') houses which were located within the boundary walls of Sa'd's property. Miswar talked to Sa'd about the matter. Sa'd agreed to pay four hundred Dinar (gold coin) only for his (Abū Rafi') house. He also offered to pay the money in a lump sum or in installments, as Abū Rafi' wishes. On hearing this Abū Rafi' said that he did not sell these houses for which he had been offered five hundred Dinars in cash because he had heard from the Prophet ﷺ that neighbors have more right than others. He also said that had he not heard it from the Prophet ﷺ he would have never sold him his house at this price.

[2] *Hall Al-'Iqāl* means that as soon as the knee of the camel is untied, he immediately stands up. Similarly, as soon as a property is sold, or the person having the right of pre-emption comes to know about the sale of property, he should immediately use his right; delay will make his right invalid and his right of pre-emption will not be accepted.

Chapter 14
AL-QIRĀD[1] (SPECULATIVE PARTNERSHIP)

١٤ - بَابُ القِرَاضِ

765. Narrated Suhaib[2] ﷺ: The Prophet ﷺ said, "There are three things which contain blessings: A business transaction in which payment is agreed on a fixed later time, *Al-Muqāradah* (speculative partnership), and mixing wheat and barley for one's household use but not for sale." [Reported by Ibn Mājah through a *Da'if* (weak) chain of narrators].

(٧٦٥) عَنْ صُهَيْبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «ثَلَاثٌ فِيهِنَّ الْبَرَكَةُ: الْبَيْعُ إِلَى أَجَلٍ، وَالْمُقَارَضَةُ، وَخَلْطُ الْبُرِّ بِالشَّعِيرِ لِلْبَيْتِ، لَا لِلْبَيْعِ». رَوَاهُ ابْنُ مَاجَهْ بِإِسْنَادٍ ضَعِيفٍ.

766. Narrated Al-Hākim bin Hizām ﷺ: He used to make a condition on the man to whom he gave his property in *Al-Muqaaradah* (to trade with, and the profit being shared between them), that: "You should not trade with my property in living beings, and do not transport it by sea, and do not settle with it at the bottom of a river-bed; and if you do any of the aforesaid acts you should then guarantee my property." [Ad-Dāraqutni reported it and its narrators are reliable *(thiqah)*].

(٧٦٦) وَعَنْ حَكِيمِ بْنِ حِزَامٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ كَانَ يَشْتَرِطُ عَلَى الرَّجُلِ، إِذَا أَعْطَاهُ مَالاً مُقَارَضَةً، أَنْ لَا تَجْعَلَ مَالِي فِي كَبِدٍ رَطْبَةٍ، وَلَا تَحْمِلَهُ فِي بَحْرٍ، وَلَا تَنْزِلَ بِهِ فِي بَطْنِ مَسِيلٍ، فَإِنْ فَعَلْتَ شَيْئاً مِنْ ذٰلِكَ، فَقَدْ ضَمِنْتَ مَالِي. رَوَاهُ الدَّارَقُطْنِيُّ، وَرِجَالُهُ ثِقَاتٌ.

Mālik said in *Al-Muwatta'* from Al-'Alā'[3] bin 'Abdur-Rahmān bin Ya'qūb

وَقَالَ مَالِكٌ فِي الْمُوَطَّأِ عَنِ الْعَلَاءِ بْنِ عَبْدِالرَّحْمٰنِ بْنِ يَعْقُوبَ، عَنْ أَبِيهِ عَنْ جَدِّهِ:

[1] In this context *Qirād* (القراض - Loan) – or *Al-Muqāradah* – means a speculative partnership, in which one person invests the money (the loan) and the other invests his physical labor in the work, and both of them divide the profit, as partners. If loss occurs, it falls on the investor. It is lawful. It is also called *Mudārabah* (المضاربة).

[2] He is Abū Yahya Suhaib bin Sinān Ar-Rumi. He was originally an Arab belonging to the tribe of An-Nimir bin Qāsit bin Wa'il and he was captured by the Byzantines while a young boy. He then grew up among them and was counted as one of them. It is said that when he grew up and became mature, he ran away from them and came to Makkah where he became the ally of 'Abdullāh bin Jad'ān. It is also said that Banu Kalb bought him from the Byzantines, brought him to Makkah and was then bought by 'Abdullāh bin Jad'ān. Suhaib was a prominent *Sahābi* who became a Muslim early and was persecuted because of Allāh. He then migrated to Al-Madīnah and died in it in 38 H.

[3] He is Abū Shibl Al-'Alā' bin 'Abdur-Rahmān bin Ya'qūb Al-Juhani, the manumitted slave of Al-Huraqa Al-Madāni. He was one of the prominent young *Tābi'īn* of the fifth generation. He was truthful but perhaps got confused at times regarding the *Hadīth*. Ahmad and others verified his reliability. Al-Wāqidi said that he died during the caliphate of Al-Mansūr.

from his father[1] on the authority of his grandfather[2] that he traded with some property belonging to 'Uthmān (ﷺ) so that the profit would be divided between them.[3] [This *Hadīth* is *Mawqūf* (saying of a Companion) *Sahih* (authentic)].

أَنَّهُ عَمِلَ فِي مَالٍ لِعُثْمَانَ، عَلَى أَنَّ الرِّبْحَ بَيْنَهُمَا . وَهُوَ مَوْقُوفٌ صَحِيحٌ.

Chapter 15 *AL-MUSAQAT*[4] AND *AL-IJARA*[5] (TENDING PALM-TREES AND THE WAGES)

١٥ - بَابُ المُسَاقَاةِ وَالإِجَارَةِ

767. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ had agreed with the people of Khaibar to give (to the Muslim authority) half what it produced of fruits or crops. [Agreed upon].

(٧٦٧) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ عَامَلَ أَهْلَ خَيْبَرَ بِشَطْرِ مَا يَخْرُجُ مِنْهَا مِنْ ثَمَرٍ أَوْ زَرْعٍ. مُتَّفَقٌ عَلَيْهِ.

A narration by Al-Bukhāri and Muslim has: They asked him (ﷺ) to allow them to stay on the land, on condition that they should do all the cultivation and have half the dates. Allāh's Messenger ﷺ replied to them, "We shall allow you to stay on the land, on that condition, as long as we wish." So

وَفِي رِوَايَةٍ لَّهُمَا : فَسَأَلُوا أَنْ يُقِرَّهُمْ بِهَا، عَلَى أَنْ يَكْفُوا عَمَلَهَا، وَلَهُمْ نِصْفُ التَّمْرِ، فَقَالَ لَهُمْ رَسُولُ اللهِ ﷺ: «نُقِرُّكُمْ بِهَا عَلَى ذَلِكَ مَا شِئْنَا»، فَقَرُّوا بِهَا، حَتَّى أَجْلَاهُمْ عُمَرُ.

[1] 'Abdur-Rahmān bin Ya'qūb Al-Juhani was among the middle *Tābi'īn* and was counted among the third generation. He heard *Ahadīth* from his father, Abū Huraira and from Abū Sa'īd Al-Khudri.

[2] Ya'qūb Al-Juhani was a manumitted slave of Al-Huraqa and was among the elders of the second generation of the *Tābi'in*. He lived during the lifetime of 'Umar bin Al-Khattāb and was among the narrators of few *Ahadīth*.

[3] *Al-Mudārabah* (المضاربة) or *Al-Qirād* (القراض) is a sort of contract. In it ignorance of compensation / wage is pardoned as a leniency for the people. If the loss is due to the carelessness or deliberate mistake of the worker, he will be held responsible for it. Otherwise, he is free of responsibility. Similarly, in acting against the conditions or instructions of the investor, the co-partner in business will be held responsible in case of loss.

[4] Watering and tending to the fields or gardens and sharing the produce or cultivating the land and sharing the produce with the owner is called *Musāqāt* (المساقاة). This is also called *Muzāra'ah* (المزارعة). The difference between *Musāqāt* and *Muzāra'a* is that *Musāqāt* is for fruit trees, while *Muzāra'a* is for grains.

[5] Making someone partner in profit or to rent out a thing to someone is called *Ijārah* (الإجارة).

they remained on the land till 'Umar (ﷺ) expelled them.

Muslim has: Allāh's Messenger ﷺ handed over to the Jews of Khaibar, the palm-trees and the land of Khaibar, on condition that they should employ their own resources in working on it and keep half of its produce.[1]

وَلِمُسْلِمٍ: أَنَّ رَسُولَ اللهِ ﷺ دَفَعَ إِلَى يَهُودِ خَيْبَرَ نَخْلَ خَيْبَرَ وَأَرْضَهَا، عَلَى أَنْ يَعْتَمِلُوهَا مِنْ أَمْوَالِهِمْ، وَلَهُمْ شَطْرُ ثَمَرِهَا.

768. Narrated Hanzala bin Qais (ﷺ): I asked Rāfi' bin Khadij ﷺ about renting of land for gold and silver and he replied, "There is no harm in that, as the people used to rent land in the time of Allāh's Messenger ﷺ for what grew by the river-beds, and the edges of the brooks/streams, or for a portion of the crop. However, sometimes this portion of the crop would be destroyed[2] while the other is saved, or vice-versa. Thus, there would be no wages to pay the people (the owners of the land) except for the portion which produced a crop." For this reason, he warned against this (practice). However, if it is (rented) for something known and guaranteed, then there is no harm in it. [Muslim reported it].

(٧٦٨) وَعَنْ حَنْظَلَةَ بْنِ قَيْسٍ، قَالَ: سَأَلْتُ رَافِعَ بْنَ خَدِيجٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنْ إِكْرَاءِ الأَرْضِ بِالذَّهَبِ وَالفِضَّةِ، فَقَالَ: لَا بَأْسَ بِهِ، إِنَّمَا كَانَ النَّاسُ يُؤَاجِرُونَ عَلَى عَهْدِ رَسُولِ اللهِ ﷺ عَلَى المَاذِيَانَاتِ، وَأَقْبَالِ الجَدَاوِلِ، وَأَشْيَاءَ مِنَ الزَّرْعِ، فَيَهْلِكُ هٰذَا وَيَسْلَمُ هٰذَا، وَيَسْلَمُ هٰذَا وَيَهْلِكُ هٰذَا، وَلَمْ يَكُنْ لِلنَّاسِ كِرَاءٌ إِلَّا هٰذَا، فَلِذٰلِكَ زَجَرَ عَنْهُ، فَأَمَّا شَيْءٌ مَعْلُومٌ مَضْمُونٌ، فَلَا بَأْسَ بِهِ. رَوَاهُ مُسْلِمٌ.

This narration contains a clarification of what was mentioned in general terms in the previous narration of Al-Bukhāri and Muslim, regarding the general prohibition of renting out land.

وَفِيهِ بَيَانٌ لِمَا أُجْمِلَ فِي المُتَّفَقِ عَلَيْهِ مِنْ إِطْلَاقِ النَّهْيِ عَنْ كِرَاءِ الأَرْضِ.

769. Narrated Thābit bin Dahhāk ﷺ: Allāh's Messenger ﷺ forbade *Al-Muzara'ah* (employing people on land for a share of the produce),[3] and ordered *al-Mu'ajara* (renting it out for

(٧٦٩) وَعَنْ ثَابِتِ بْنِ الضَّحَّاكِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنِ المُزَارَعَةِ، وَأَمَرَ بِالمُؤَاجَرَةِ. رَوَاهُ مُسْلِمٌ أَيْضاً.

[1] This *Hadīth* provides the proof of *Musāqāt* (المساقاة) and *Muzāra'ah* (المزارعة).

[2] It means that the fields in low lying areas or on the banks of canals would be ruined in times of floods while the fields on highlands would remain safe; and it would be the reverse in times of drought.

[3] In Arabic, *Muzāra'ah* (المزارعة) means to give the land for cultivation to someone and divide the produce. The Prophet ﷺ did not stop or prevent this. However, when land was scarce and the *Ansār* and *Muhājirīn* were more in number, he ordered – as a measure of expediency – that they cultivate the land as much as one could, and not to give the rest of

cash).[1] [Reported by Muslim].

770. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ had himself cupped and gave the one who cupped him his pay; and if it were prohibited he would not have given him (his pay). [Reported by Al-Bukhāri].

(٧٧٠) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّهُ قَالَ: اْحْتَجَمَ رَسُولُ اللهِ ﷺ، وَأَعْطَى الَّذِي حَجَمَهُ أَجْرَهُ، وَلَوْ كَانَ حَرَاماً لَمْ يُعْطِهِ. رَوَاهُ الْبُخَارِيُّ.

771. Narrated Rāfi' bin Khadij ﷺ: Allāh's Messenger ﷺ said, "The earnings of a cupper (***Hajjām***) are impure."[2] [Reported by Muslim].

(٧٧١) وَعَنْ رَافِعِ بْنِ خَدِيجٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «كَسْبُ ٱلْحَجَّامِ خَبِيثٌ». رَوَاهُ مُسْلِمٌ.

772. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Allāh, the Great and Glorious, has said, 'There are three whose adversary I shall be on the Day of Resurrection: A man who gave a promise in My Name and then betrayed; a man who sold a free man and consumed his price; and a man who hired a worker and, after receiving full service from him, did not give him his wages.' "[3] [Reported by Muslim].

(٧٧٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «قَالَ اللَّهُ عَزَّ وَجَلَّ: ثَلَاثَةٌ أَنَا خَصْمُهُمْ يَوْمَ القِيَامَةِ: رَجُلٌ أَعْطَى بِي ثُمَّ غَدَرَ، وَرَجُلٌ بَاعَ حُرًّا فَأَكَلَ ثَمَنَهُ، وَرَجُلٌ اسْتَأْجَرَ أَجِيراً فَاسْتَوْفَى مِنْهُ وَلَمْ يُعْطِهِ أَجْرَهُ». رَوَاهُ مُسْلِمٌ.

773. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "The most worthy thing for which you receive payment is Allāh's Book."[4] [Reported by Al-Bukhāri].

(٧٧٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِنَّ أَحَقَّ مَا أَخَذْتُمْ عَلَيْهِ أَجْراً كِتَابُ اللَّهِ». أَخْرَجَهُ الْبُخَارِيُّ.

774. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "Give the hired worker his wage before his sweat dries."[5] [Reported by Ibn Mājah].

(٧٧٤) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَعْطُوا الأَجِيرَ أَجْرَهُ، قَبْلَ أَنْ يَجِفَّ عَرَقُهُ». رَوَاهُ ابْنُ مَاجَهْ.

---

the land on produce-share basis or ***Muzāra'ah***. Instead, they should give the land on ***Ijārah*** (rental basis), because ***Ijārah*** provided some ease to the tenants. Afterwards when land was enough for all, this restriction was lifted.

[1] The word used in Arabic is ***Ijārah*** (الإجارة) which means to rent out the land for a fixed period, and it is lawful.

[2] In Arabic ***Khabīth*** (خبيث) means a mean and base work, it does not mean unlawful. Sometimes the word ***Khabith*** is spoken metaphorically in the meaning of mean and base.

[3] In this ***Hadīth*** it has been emphasized to pay the wages of a laborer. Nowadays, many of the people are unfair in their dealing and dishonest in making the payment.

[4] This ***Hadīth*** clearly shows that accepting the wages for copying and teaching the noble Qur'ān and ***Hadīth*** is lawful.

[5] It means that the wages of a laborer must be paid immediately. He who does not pay the

Abū Ya'la and Al-Baihaqi reported something to the same effect on the subject of wages from Abū Huraira ﷺ. At-Tabarāni also reported something similar from Jābir. However, all these *Abādith* are weak.

وَفِي البَابِ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ عِنْدَ أَبِي يَعْلَى وَالبَيْهَقِيِّ، وَجَابِرٍ عِنْدَ الطَّبَرَانِيِّ، وَكُلُّهَا ضِعَافٌ.

775. Narrated Abū Sa'īd Al-Khudri ﷺ: The Prophet ﷺ said, "Whoever hires a worker should pay him his wages in full."[1] [Reported by 'Abdur-Razzāq, and it has *Inqitā'* (a break) in it's chain of narrators. Al-Baihaqi reported it *Mawsūl* (unbroken chain) through the narration of Abū Hanifah].

(٧٧٥) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنِ اسْتَأْجَرَ أَجِيراً فَلْيُسَمِّ لَهُ أُجْرَتَهُ»، رَوَاهُ عَبْدُ الرَّزَّاقِ، وَفِيهِ انْقِطَاعٌ، وَوَصَلَهُ البَيْهَقِيُّ مِنْ طَرِيقِ أَبِي حَنِيفَةَ.

Chapter 16
THE CULTIVATION OF BARREN LANDS

١٦ - بَابُ إِحْيَاءِ المَوَاتِ

776. Narrated 'Urwa from 'Aisha ﷺ: The Prophet ﷺ said, "He who develops land that does not belong to anyone, has the most right to it." [Reported by Al-Bukhāri] 'Urwa said that 'Umar ruled according to that during his caliphate.

(٧٧٦) وَعَنْ عُرْوَةَ عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ عَمَّرَ أَرْضاً لَيْسَتْ لِأَحَدٍ فَهُوَ أَحَقُّ بِهَا»، رَوَاهُ البُخَارِيُّ. قَالَ عُرْوَةُ: وَقَضَى بِهِ عُمَرُ فِي خِلَافَتِهِ.

777. Narrated Sa'īd bin Zaid ﷺ: The Prophet ﷺ said, "If anyone makes a barren land productive, then it belongs to him."[2] [Reported by *Ath-Thalatha*. At-Tirmidhi graded it ***Hasan*** (good) saying that it was reported in a ***Mursal*** (missing link after the ***Tābi'ī***) form, which is the case. However, there is disagreement regarding the Companion who heard it from the Prophet ﷺ, and it has been said that it was Jābir, 'Aisha

(٧٧٧) وَعَنْ سَعِيدِ بْنِ زَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ أَحْيَا أَرْضاً مَيْتَةً. فَهِيَ لَهُ». رَوَاهُ الثَّلَاثَةُ، وَحَسَّنَهُ التِّرْمِذِيُّ، وَقَالَ: رُوِيَ مُرْسَلاً، وَهُوَ كَمَا قَالَ، واخْتُلِفَ فِي صَحَابِيِّهِ، فَقِيلَ: جَابِرٌ، وَقِيلَ: عَائِشَةُ، وَقِيلَ: عَبْدُ اللهِ بْنُ عُمَرَ، وَالرَّاجِحُ الأَوَّلُ.

---

wages of labor, Allāh will be a claimant against him on the Day of Judgement.

[1] It means that wages for the labor should be settled in advance to avoid the subsequent dispute. Similarly in all alike matters of *Mudarabah*, *Salam*, *Muzara'ah*, *Muwajarah*, etc. The same principle which *Shari'a* has decided is applicable, and everybody should abide by this principle.

[2] It means that whoever cultivates the uninhabited and barren land, it belongs to him, provided this land is not the property of any Muslim or *Dhimmi* (الذمي - a non-Muslim living in a Muslim State). Some religious scholars have the opinion that prior permission of the state is also necessary, while according to others it is not.

or 'Abdullāh bin 'Umar, and the strongest opinion is that it was the first one (i.e. Jābir)]

778. Narrated Ibn 'Abbās ﷺ that As-Sa'b bin Jaththāma Al-Laithi ﷺ informed him that the Prophet ﷺ had said, "There is no preserve[1] except what belongs to Allāh and His Messenger." [Reported by Al-Bukhāri].

(٧٧٨) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ الصَّعْبَ بْنَ جَثَّامَةَ اللَّيْثِيَّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَخْبَرَهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَا حِمَى إِلَّا لِلَّهِ وَلِرَسُولِهِ». رَوَاهُ الْبُخَارِيُّ.

779. Narrated (Ibn 'Abbās) ﷺ: Allāh's Messenger ﷺ said, "There should neither be harming (of others without cause), nor reciprocating harm (between two parties)."[2] [Reported by Ahmad and Ibn Mājah]. Ibn Mājah reported something similar to the aforesaid *Hadīth* from Abū Sa'īd's narration. It is found in *Al-Muwatta'* in a *Mursal* form (missing link after the *Tābi'ī*).

(٧٧٩) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا ضَرَرَ وَلَا ضِرَارَ». رَوَاهُ أَحْمَد وَابْنُ مَاجَهْ، وَلَهُ مِنْ حَدِيثِ أَبِي سَعِيدٍ مِثْلُهُ، وَهُوَ فِي الْمُوَطَّأ مُرْسَلٌ.

780. Narrated Samura bin Jundub ﷺ: Allāh's Messenger ﷺ said, "If anyone puts a wall around a (barren) land, it belongs to him."[3] [Reported by Abū Dā'ud and Ibn Al-Jārūd graded it *Sahih* (authentic)].

(٧٨٠) وَعَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ أَحَاطَ حَائِطاً عَلَى أَرْضٍ فَهِيَ لَهُ». رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ الجَارُودِ.

781. Narrated 'Abdullāh bin Mughaffal ﷺ: The Prophet ﷺ said, "Whoever digs a well, shall have forty cubits (of land) as resting place for his animals [4] near the water." [Reported by Ibn Mājah through a weak chain of narrators].

(٧٨١) وَعَنْ عَبْدِ اللهِ بْنِ مُغَفَّلٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ حَفَرَ بِئْراً فَلَهُ أَرْبَعُونَ ذِرَاعاً، عَطَناً لِمَاشِيَتِهِ». رَوَاهُ ابْنُ مَاجَه بِإِسْنَادٍ ضَعِيفٍ.

[1] In the Period of Ignorance (before Islam), it was customary that the chief used to reserve the fertile piece of land as grazing grounds for his own cattle. This is prohibited in Islam. However, a ruler or head of the state can reserve the land for the cattle given as charity in the way of Allāh. The land reserved for "charity cattle" will belong to "Allāh and to His Messenger." The head of the state cannot use this land for his own herds.

[2] In Arabic, *Darar* (ضرر) means to harm or to hurt somebody else without a legitimate cause; and *Dirar* (ضرار) means to reciprocate by harming someone who has caused harm to you first. This *Hadīth* stands as a fundamental rule. Do not hurt anyone and do not allow anyone to hurt you. Other than this, there are many explanations of this *Hadīth*.

[3] For the purpose of building a house, erecting a boundary wall, at least three feet high, proves the possession of the land and its ownership – as long as it is not already owned by anyone. However, to prove the ownership of cultivation land, its tillage is necessary.

[4] It means whoever digs a well for public welfare, *Shari'a* allows him a forty square yard

782. Narrated 'Alqama bin Wā'il[1] from his father ﷺ: "The Prophet ﷺ assigned him land[2] in Hadramout." [Reported by Abū Dā'ud and At-Tirmidhi. Ibn Hibbān graded it *Sahih* (authentic)].

(٧٨٢) وَعَنْ عَلْقَمَةَ بْنِ وَائِلٍ عَنْ أَبِيهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ أَقْطَعَهُ أَرْضاً بِحَضْرَمَوتَ. رَوَاهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

783. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ assigned to Az-Zubair the land his horse could cover at a run. He made his horse run, and when it stopped he threw his whip. He then said,[3] "Give to him up to the spot his whip has reached."[4] [Reported by Abū Dā'ud, but it has weakness].

(٧٨٣) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ أَقْطَعَ الزُّبَيْرَ حُضْرَ فَرَسِهِ، فَأَجْرَى الفَرَسَ حَتَّى قَامَ، ثُمَّ رَمَى بِسَوْطِهِ، فَقَالَ أَعْطُوهُ حَيْثُ بَلَغَ السَّوْطُ. رَوَاهُ أَبُو دَاوُدَ، وَفِيهِ ضَعْفٌ.

784. Narrated A man of the Companions ﷺ : I went on an expedition with the Prophet ﷺ and heard him say, "People are partners in three things: grazing pasture, water and fire." [Reported by Ahmad and Abū Dā'ud, and its narrators are reliable (*thiqah*)].

(٧٨٤) وَعَنْ رَجُلٍ مِّنَ الصَّحَابَةِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: غَزَوْتُ مَعَ النَّبِيِّ ﷺ، فَسَمِعْتُهُ يَقُولُ: النَّاسُ شُرَكَاءُ فِي ثَلَاثٍ: فِي الكَلإِ وَالمَآءِ وَالنَّارِ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَرِجَالُهُ ثِقَاتٌ.

Chapter 17
AL-WAQF[5]
(THE ENDOWMENT)

١٧ - بَابُ الوَقْفِ

785. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "When a son of Adam (i.e. any human being) dies his deeds are discontinued, with three exceptions: *Sadaqa*, whose benefit is

(٧٨٥) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِذَا مَاتَ الإِنْسَانُ انْقَطَعَ عَنْهُ عَمَلُهُ، إِلَّا مِنْ ثَلَاثَةٍ: صَدَقَةٍ جَارِيَةٍ، أَوْ عِلْمٍ يُنْتَفَعُ بِهِ، أَوْ وَلَدٍ صَالِحٍ يَدْعُو لَهُ».

piece of land around the well for his cattle, etc.

[1] 'Alqama bin Wā'il bin Hujr Al-Hadrami then Al-Kufi was authenticated by Ibn Hibbān. He narrated the *Hadīth* from his father and Al-Mughira.

[2] It means that in an Islāmic State, it is permitted to give an estate to someone. There are two forms of this: (i) To give as his own property. (ii) To allow to use the produce for a fixed period.

[3] Speaking to those who were with him.

[4] It means that giving an estate to someone as a reward of his services rendered to Islam and Muslim *Ummah*, is permitted and lawful provided the land given as state is not a personal property of anyone nor it encroaches upon anyone's right. Estate awarded to a treacherous person, as a reward of his treachery by a Non-Muslim State, is unlawful.

[5] *Waqf* (الوقف) means to make an endowment and to spend the income for public welfare,

continuous; or knowledge from which benefit continues to be reaped; or a righteous child who supplicates for him." [Reported by Muslim].

رَوَاهُ مُسْلِمٌ.

786. Narrated Ibn 'Umar ﷺ: 'Umar ﷺ got some land in Khaibar and went to the Prophet ﷺ asking his command regarding it and said, "O Allāh's Messenger, I have acquired a land in Khaibar which is the most valuable property that I have ever acquired." He replied, "If you wish you may make the property an endowment and give its produce as *Sadaqa*." So 'Umar ﷺ gave the land as *Sadaqa* (in endowment on the condition) that must not be sold, inherited, or given away. And he gave its produce as *Sadaqa* to be devoted to the poor, relatives, the emancipation of slaves, in Allāh's Cause, for travelers and guests, and there is no sin upon the one who administers it if he eats something from it in a reasonable manner or gives something to a friend to eat, provided he does not store anything as goods (for himself). [Agreed upon; the wording is Muslim's].

(٧٨٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: أَصَابَ عُمَرُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَرْضاً بِخَيْبَرَ، فَأَتَى النَّبِيَّ ﷺ يَسْتَأْمِرُهُ فِيهَا، فَقَالَ: يَا رَسُولَ اللهِ! إِنِّي أَصَبْتُ أَرْضاً بِخَيْبَرَ، لَمْ أُصِبْ مَالاً قَطُّ هُوَ أَنْفَسُ عِنْدِي مِنْهُ، قَالَ: إِنْ شِئْتَ حَبَسْتَ أَصْلَهَا، وَتَصَدَّقْتَ بِهَا، قَالَ: فَتَصَدَّقَ بِهَا عُمَرُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ لَا يُبَاعُ أَصْلُهَا، وَلَا يُورَثُ، وَلَا يُوهَبُ، فَتَصَدَّقَ بِهَا فِي الفُقَرَاءِ، وَفِي القُرْبَى، وَفِي الرِّقَابِ، وَفِي سَبِيلِ اللهِ، وَابْنِ السَّبِيلِ، وَالضَّيْفِ، لَا جُنَاحَ عَلَى مَنْ وَلِيَهَا أَنْ يَأْكُلَ مِنْهَا بِالمَعْرُوفِ، وَيُطْعِمَ صَدِيقاً غَيْرَ مُتَمَوِّلٍ مَالاً. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

A narration by Al-Bukhāri has: "He gave the land in *Sadaqa* (as an endowment) that must not be sold[1] or gifted, but its produce must be spent (as *Sadaqa*)."

وَفِي رِوَايَةٍ لِلْبُخَارِيِّ: تَصَدَّقَ بِأَصْلِهَا: لَا يُبَاعُ، وَلَا يُوهَبُ، وَلٰكِن يُنْفَقُ ثَمَرُهُ.

787. Narrated Abū Huraira ﷺ: "Allāh's Messenger ﷺ sent 'Umar ﷺ to collect *Sadaqa*..." The narrator reported the ***Hadīth*** and it contains: "As for Khālid,[2] he has kept back his coats of

(٧٨٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: بَعَثَ رَسُولُ اللهِ ﷺ عُمَرَ عَلَى الصَّدَقَةِ، الْحَدِيثَ، وَفِيهِ «فَأَمَّا خَالِدٌ، فَقَدِ احْتَبَسَ

while keeping the original property in self custody or guardianship, not to be sold, inherited or given as a gift.

[1] It is not permitted to sell the *Waqf*. However a trustee is allowed to take a mediocre maintenance allowance for his family, while drawing lavish allowance is prohibited.

[2] He is Abū Sulaimān Khālid bin Al-Walid bin Al-Mughira Al-Makhzumi Al-Qurashi. His mother 'Asmā' was Lubabah As-Sughra, the daughter of Al-Hārith and she was the sister of Umm Fadl. Khālid became a Muslim in 8 H. before the conquest of Makkah. It is said that he

mail and weapons to use them in Allāh's Cause."[1] [Agreed upon].

أَدْرَاعَهُ وَأَعْتَادَهُ فِي سَبِيلِ اللهِ». مُتَّفَقٌ عَلَيْهِ.

Chapter 18
HIBAH, *'UMRĀ* AND *RUQBA*[2] (GIFTS, LIFE-TENANCY, AND GIVING PROPERTY WHICH GOES TO THE SURVIVOR)

١٨ - بَابُ الهِبَةِ وَالعُمْرَى وَالرُّقْبَى

788. Narrated An-Nu'mān bin Bashir ﷺ : His father brought him to Allāh's Messenger ﷺ and said, "I have given this son of mine a slave, who was belonging to me." Allāh's Messenger ﷺ asked, "Have you given all your children the like of him?" He replied, "No." Allāh's Messenger ﷺ then said, "Take him back then." A narration has: My father went then to the Prophet ﷺ to call him as witness to my *Sadaqa* (i.e. gift) and he asked, "Have you done the same with all your children?" He replied, "No." He said, "Fear Allāh and treat your children equally."[3] My father then returned and took back that gift. [Agreed upon].

(٧٨٨) عَنِ النُّعْمَانِ بْنِ بَشِيرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ أَبَاهُ أَتَى بِهِ رَسُولَ اللهِ ﷺ، فَقَالَ: إِنِّي نَحَلْتُ ٱبْنِي هٰذَا غُلَاماً كَانَ لِي، فَقَالَ رَسُولُ اللهِ ﷺ: «أَكُلَّ وَلَدِكَ نَحَلْتَه مِثْلَ هٰذَا؟ فَقَالَ: لَا، فَقَالَ رَسُولُ اللهِ ﷺ: «فَأَرْجِعْهُ». وَفِي لَفْظٍ: فَٱنْطَلَقَ أَبِي إِلَى النَّبِيِّ ﷺ لِيُشْهِدَهُ عَلَى صَدَقَتِي، فَقَالَ: «أَفَعَلْتَ هٰذَا بِوَلَدِكَ كُلِّهِمْ؟» قَالَ: لَا، قَالَ: «اتَّقُوا اللَّهَ، وَاعْدِلُوا بَيْنَ أَوْلَادِكُمْ»، فَرَجَعَ أَبِي فَرَدَّ تِلْكَ الصَّدَقَةَ. مُتَّفَقٌ عَلَيْهِ.

A narration by Muslim has: He said, "Call someone other than me as

وَفِي رِوَايَةٍ لِمُسْلِمٍ قَالَ: فَأَشْهِدْ عَلَى هٰذَا غَيْرِي، ثُمَّ قَالَ: «أَيَسُرُّكَ أَن يَكُونُوا لَكَ فِي

---

became a Muslim in 5 H. or 6 H. and he took part in the conquest of Makkah, Hunain and Tabuk. He broke nine swords with his hands while using them in the battle of Mu'ta, so Allāh's Messenger ﷺ called him the 'Sword of Allāh'. Abū Bakr sent him to fight in the battles of Ar-Ridda (apostasy), then he invaded the Persians. He was then sent to Shām, conquered most of it and remained the commander of the Muslim army in Shām till 'Umar bin Al-Khattāb retired him. He then became a voluntary vigilant at Hims till his death in 21 H. and he was buried at a village one mile outside Hims.

[1] 'Umar رضي الله عنه thought that Khālid رضي الله عنه has kept those coats of mail for business. The Prophet ﷺ told him that Khālid has endowed the coats of mail and weapons in the way of Allāh.

[2] ***Hibah*** (الهبة) means to present something to some one as a gift for Allāh's sake. ***Waqf*** (الوقف) is a public property and ***Hiba*** is private. *'Umrā* (العمرى) is to gift a house to somebody for the duration of his lifetime. ***Ruqba*** (الرقبى) is that house which is gifted to someone on the condition that if one of them dies, the house goes to the one who lives (the survivor).

[3] According to some scholars, justice and equality among the sons (children) is preferable, but according to Imām Bukhāri and Imām Ahmad it is obligatory.

witness to this." He then said, "Would you like them to be equal in their kind treatment of you." He replied, "Yes." He said, "Don't do it, then."

البِرِّ سَوَآءً؟» قَالَ: بَلَى. قال: «فَلَا إِذَنْ».

789. Narrated Ibn 'Abbās ؓ: The Prophet ﷺ said, "The one who repossesses a gift[1] is like a dog which vomits and then returns to its vomit." [Agreed upon] A narration by Al-Bukhāri has: "An evil example does not apply to us,[2] one who repossesses a gift is like a dog which vomits and then returns to its vomit."

(٧٨٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ النَّبِيُّ ﷺ: «العَائِدُ فِي هِبَتِهِ كَالكَلْبِ يَقِيءُ ثُمَّ يَعُودُ فِي قَيْئِهِ». مُتَّفَقٌ عَلَيْهِ. وَفِي رِوَايَةٍ لِلْبُخَارِيِّ: «لَيْسَ لَنَا مَثَلُ السَّوْءِ، الَّذِي يَعُودُ فِي هِبَتِهِ كَالكَلْبِ يَقِيءُ ثُمَّ يَرْجِعُ فِي قَيْئِهِ».

790. Narrated Ibn 'Umar and Ibn Abbās ؓ: The Prophet ﷺ said, "It is not lawful for a Muslim man to give a gift and then take it back, except a father[3] regarding what he gives his child." [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi, Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

(٧٩٠) وَعَنِ ابْنِ عُمَرَ وَابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمْ، عَنِ النَّبِيِّ ﷺ قَالَ: «لَا يَحِلُّ لِرَجُلٍ مُسْلِمٍ أَنْ يُعْطِيَ العَطِيَّةَ ثُمَّ يَرْجِعَ فِيهَا، إِلَّا الوَالِدَ فِيمَا يُعْطِي وَلَدَهُ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ وَالحَاكِمُ.

791. Narrated 'Aisha ؓ: Allāh's Messenger ﷺ would accept a gift and give something in return for it.[4] [Reported by Al-Bukhāri].

(٧٩١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَقْبَلُ الهَدِيَّةَ، وَيُثِيبُ عَلَيْهَا. رَوَاهُ البُخَارِيُّ.

792. Narrated Ibn 'Abbās ؓ: A man gave away a she-camel to Allāh's Messenger ﷺ. So he gave him something in return for it and asked, "Are you pleased?" He replied, "No." So he gave him more and asked, "Are you pleased?" He replied, "No." Again he gave him more and asked, "Are you pleased?" He replied, "Yes." [Reported by Ahmad and Ibn Hibbān graded it *Sahih* (authentic)].

(٧٩٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: وَهَبَ رَجُلٌ لِرَسُولِ اللهِ ﷺ نَاقَةً، فَأَثَابَهُ عَلَيْهَا، فَقَالَ: رَضِيتَ؟ قَالَ: لَا، فَزَادَهُ، فَقَالَ: رَضِيتَ؟ قَالَ: لَا، فَزَادَهُ، فَقَالَ: رَضِيتَ؟ قَالَ: نَعَمْ. رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

[1] It is agreed that a father can take back a thing from his son, given to him as a gift; while taking back of things presented to other relatives is unlawful.

[2] i.e. Muslims.

[3] It means that only a father can take back the *Hibah* (gift) from his son and taking back from others is unlawful. A father can revise his decision of *Hibah* and is allowed to take back the gift. A mother is also allowed to take back the *Hibah*, according to most scholars.

[4] It means to accept a gift and to give a gift in return is *Sunnah*.

793. Narrated Jābir ﷺ: Allāh's Messenger ﷺ said, "What is given in life-tenancy[1] belongs to the one to whom it is given." [Agreed upon].

(٧٩٣) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الْعُمْرَى لِمَنْ وُهِبَتْ لَهُ». مُتَّفَقٌ عَلَيْهِ.

Muslim has: "Keep your properties for yourselves and do not squander them,[2] for if anyone gives a life-tenancy it goes to the one to whom it is given, both during his life and after his death, and to his descendants."

وَلِمُسْلِمٍ: أَمْسِكُوا عَلَيْكُمْ أَمْوَالَكُمْ، وَلَا تُفْسِدُوهَا، فَإِنَّهُ مَنْ أَعْمَرَ عُمْرَى، فَهِيَ لِلَّذِي أُعْمِرَهَا، حَيًّا وَمَيِّتاً، وَلِعَقِبِهِ.

A narration has: "The life-tenancy which Allāh's Messenger ﷺ allowed was only that in which one says, 'It is for you and your descendants.' However, if he says, 'It is yours as long as you live', it returns to its owner."

وَفِي لَفْظٍ: إِنَّمَا الْعُمْرَى الَّتِي أَجَازَهَا رَسُولُ اللهِ ﷺ أَن يَقُولَ: هِيَ لَكَ وَلِعَقِبِكَ، فَأَمَّا إِذَا قَالَ: هِيَ لَكَ مَا عِشْتَ، فَإِنَّهَا تَرْجِعُ إِلَى صَاحِبِهَا.

Abū Dā'ud and An-Nasā'i have: "Do not give property "to go to the survivor"[3] and do not give "life-tenancy", for if anyone is given either, the property goes to his heirs."

وَلِأَبِي دَاوُدَ وَالنَّسَائِيِّ: لَا تُرْقِبُوا، وَلَا تُعْمِرُوا، فَمَنْ أُرْقِبَ شَيْئاً، أَوْ أُعْمِرَ شَيْئاً، فَهُوَ لِوَرَثَتِهِ.

794. Narrated 'Umar ﷺ: I provided a man with a horse to ride in Allāh's Cause, but as he did not look after it well, I thought he would sell it at a cheap price. I therefore asked Allāh's Messenger ﷺ about that and he said, "Do not buy it even if he gives it to you for a Dirham..." The narrator reported the rest of the *Hadīth*. [Agreed upon].

(٧٩٤) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: حَمَلْتُ عَلَى فَرَسٍ فِي سَبِيلِ اللهِ، فَأَضَاعَهُ صَاحِبُهُ، فَظَنَنْتُ أَنَّهُ بَائِعُهُ بِرُخْصٍ، فَسَأَلْتُ رَسُولَ اللهِ ﷺ عَنْ ذٰلِكَ، فَقَالَ: «لَا تَبْتَعْهُ، وَإِنْ أَعْطَاكَهُ بِدِرْهَمٍ» اَلْحَدِيثَ. مُتَّفَقٌ عَلَيْهِ.

795. Narrated Abū Huraira ﷺ: The

(٧٩٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ،

[1] Giving a house as a gift to someone for lifetime is called *'Umrā* (العمرى). It has three forms: 1) to give for ever; 2) to give for lifetime; and 3) to give with a pre-condition (for it to be returned upon his death). Here what is meant is the first and the last.

[2] At that time people thought *'Umrā* is a loan given to the borrower for a certain period of time, and the owner retains the property with him after the time passes. However, the Prophet ﷺ made the matter clear by saying that the borrower becomes the owner of the property. The giver may have any intention at the time of giving the gift, but it has no consideration. It is, therefore, suggested to think carefully before gifting *'Umrā* to avoid remorse.

[3] ***Ruqba*** (الرقبى) means that a person gives his house (or property) to another on the condition that if he (the borrower) outlived him, he will have the house. However, if he (the borrower) died before, than the house will be retained by the original owner. This is called ***Ruqba*** because each of them wait for the death of the other.

Prophet ﷺ said, "Give gifts[1] to one another and you will love one another." [Al-Bukhāri reported it in *Al-Adab Al-Mufrad*; Abū Ya'la reported it with a ***Hasan*** (good) chain of narrators].

عَنِ النَّبِيِّ ﷺ قَالَ: «تَهَادُوا تَحَابُّوا». رَوَاهُ الْبُخَارِيُّ فِي الأَدَبِ الْمُفْرَدِ، وَأَبُو يَعْلَى بِإِسْنَادٍ حَسَنٍ.

796. Narrated Anas ؓ: Allāh's Messenger ﷺ said, "Give gifts to one another, for (giving) gifts gently extracts resentment and ill-will." [Al-Bazzār reported it through a ***Da'if*** (weak) chain of narrators].

(٧٩٦) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «تَهَادُوا فَإِنَّ الْهَدِيَّةَ تَسُلُّ السَّخِيمَةَ». رَوَاهُ الْبَزَّارُ بِإِسْنَادٍ ضَعِيفٍ.

797. Narrated Abū Huraira ؓ: Allāh's Messenger ﷺ said, "O Muslim women, a woman neighbour should not consider even a goat's hoof too insignificant [2] a gift to give to her neighbour." [Agreed upon].

(٧٩٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «يَا نِسَاءَ الْمُسْلِمَاتِ لَا تَحْقِرَنَّ جَارَةٌ لِجَارَتِهَا وَلَوْ فِرْسِنَ شَاةٍ». مُتَّفَقٌ عَلَيْهِ.

798. Narrated Ibn 'Umar ؓ: The Prophet ﷺ said, "If anyone gives away a gift, he has most right to it as long as he is given nothing in return for it."[3] [Al-Hākim reported and graded it *Sahih* (authentic). However, the stronger narration is Ibn 'Umar's narration on the authority of 'Umar ؓ as a saying of 'Umar].

(٧٩٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ وَهَبَ هِبَةً فَهُوَ أَحَقُّ بِهَا، مَا لَمْ يُثَبْ عَلَيْهَا». رَوَاهُ الْحَاكِمُ، وَصَحَّحَهُ، وَالْمَحْفُوظُ مِن رِوَايَةِ ابْنِ عُمَرَ عَنْ عُمَرَ قَوْلُهُ.

Chapter 19
LUQATAH [4]
(LOST AND FOUND ITEMS)

١٩ - بَابُ اللُّقَطَةِ

799. Narrated Anas ؓ: The Prophet ﷺ came upon a date on the road and said,

(٧٩٩) عَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ:

[1] It means that sending or giving a gift is commendable. All the chains of narrators (*Asānīd*) of this ***Hādith*** contain some defect. However, some of them support others and that is why this ***Hadīth*** is graded ***Hasan*** (good). See: ***Irwā' Al-Ghaleel*** by Shaykh Al-Albāni 6/44, no. 1601.

[2] This example teaches the basic philosophy of gift giving. A gift should be given even if it is a very meager or an ordinary thing. And he who receives it, should also honor the intention of the giver.

[3] This ***Hadīth*** contains two points: 1) that a gift should be compensated for; 2) that if ***Hibah*** is not compensated for, the giver has the right to reconsider the ***Hibah*** and can take it back. However, this is a weak narration.

[4] ***Luqatah*** (اللقطة) is a fallen or lost thing. ***Shari'a*** has divided ***Luqatah*** into three categories:

"Were it not that I fear it may be part of the *Sadaqa* I would eat it." [Agreed upon].

مَرَّ النَّبِيُّ ﷺ بِتَمْرَةٍ فِي الطَّرِيقِ، فَقَالَ: «لَوْلَا أَنِّي أَخَافُ أَنْ تَكُونَ مِنَ الصَّدَقَةِ لأَكَلْتُهَا». مُتَّفَقٌ عَلَيْهِ.

800. Narrated Zaid bin Khālid Al-Juhani[1] ؓ: A man came to the Prophet ﷺ and asked him about an item found (in the street). He replied, "Note what it is contained in, and what it is tied with, and make the matter known for a year. Then, if its owner comes (give it to him). Otherwise, you can do what you like with it." He asked, "What about astray sheep?" He replied, "It is for you, your brother, or the wolf." He asked, "What about astray camels?" He replied, "What have you to do with them? They have their stomachs and their feet. They can go down to water and eat trees till their master finds them." [Agreed upon].

(٨٠٠) وَعَنْ زَيْدِ بْنِ خَالِدٍ الجُهَنِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ، فَسَأَلَهُ عَنِ اللُّقَطَةِ، فَقَالَ: «اعرِفْ عِفَاصَهَا وَوِكَاءَهَا، ثُمَّ عَرِّفْهَا سَنَةً، فَإِنْ جَاءَ صَاحِبُهَا، وَإِلَّا فَشَأْنُكَ بِهَا»، قَالَ: فَضَالَّةُ الغَنَمِ؟ قَالَ: «هِيَ لَكَ، أَوْ لِأَخِيكَ، أَوْ لِلذِّئْبِ»، قَالَ: فَضَالَّةُ الإِبِلِ؟ قَالَ: «مَا لَكَ وَلَهَا؟ وَمَعَهَا سِقَاؤُهَا، وَحِذَاؤُهَا، تَرِدُ المَاءَ، وَتَأْكُلُ الشَّجَرَ، حَتَّى يَلْقَاهَا رَبُّهَا». مُتَّفَقٌ عَلَيْهِ.

801. Narrated (Zaid bin Khālid) ؓ: Allāh's Messenger ﷺ said, "He who shelters a stray (animal) is astray himself, if he does not make it known."[2] [Reported by Muslim].

(٨٠١) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ آوَى ضَالَّةً فَهُوَ ضَالٌّ مَا لَمْ يُعَرِّفْهَا». رَوَاهُ مُسْلِمٌ.

802. Narrated 'Iyād bin Himār[3] ؓ: Allāh's Messenger ﷺ said, "He who

(٨٠٢) وَعَنْ عِيَاضِ بْنِ حِمَارٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ وَجَدَ

---

i) an ordinary and edible item – it can be picked up and eaten.

ii) an ordinary thing but not eatable – it can be picked up, but one has to announce it in the public places for three days.

iii) a valuable thing which the *Shari'a* orders – if it is picked up – to be announced for one year. Then, if the owner is found, it should be returned to him. Otherwise, it can be used. There is a difference of opinion on the point, whether to return it or not if the owner is found after its use.

[1] His nickname is Abū 'Abdur-Rahmān or Abū Talha and was a resident of Al-Madīnah. He was a prominent *Sahābi* who held the flag of the tribe of Juhaina on the day of *Al-Fath* (the conquest of Makkah). He settled at Kufa and died in it in the year 68 H. or 78 H. at the age of 85 years.

[2] If someone picks up a lost or fallen thing with the intention to announce it, or with the intention to prevent it from getting into the hands of those who would not announce it, then this is permissible. Picking up a thing with bad intention to possess it, is not correct. It is an error of conduct.

[3] 'Iyad bin Himār At-Tamimi Al-Mujāshi'i was a *Sahābi* who settled at Basrah and lived up to about the fifties of the Hijra.

finds something should call two trusty people as witnesses,[1] keep in mind what it is contained in, and what it is tied with, and not conceal it or cover it up. Then, if its owner comes, he has then most right to it. Otherwise, it is Allāh's property which He gives to whomever He wills." [Reported by Ahmad and *Al-Arba'a* excluding Tirmidhi. Ibn Khuzaima, Ibn Al-Jārūd and Ibn Hibbān graded it *Sahih* (authentic)].

لُقَطَةً فَلْيُشْهِدْ ذَوَيْ عَدْلٍ، وَلْيَحْفَظْ عِفَاصَهَا، وَوِكَاءَهَا، ثُمَّ لَا يَكْتُمْ، وَلَا يُغَيِّبْ، فَإِنْ جَاءَ رَبُّهَا، فَهُوَ أَحَقُّ بِهَا، وَإِلَّا فَهُوَ مَالُ اللهِ يُؤْتِيهِ مَنْ يَشَاءُ». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ إِلَّا التِّرْمِذِيَّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ الْجَارُودِ وَابْنُ حِبَّانَ.

803. Narrated 'Abdur-Rahmān bin 'Uthmān At-Taimi[2] ﷺ: The Prophet ﷺ prohibited taking what a pilgrim[3] has dropped (lost). [Reported by Muslim].

(٨٠٣) وَعَنْ عَبْدِ الرَّحْمَنِ بْنِ عُثْمَانَ التَّيْمِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ لُقَطَةِ الْحَاجِّ. رَوَاهُ مُسْلِمٌ.

804. Narrated Al-Miqdām bin Ma'dikarib[4] ﷺ: Allāh's Messenger ﷺ said, "A beast of prey with a fang, a domestic donkey, and a lost item from the property of a *Mu'āhid* (a disbeliever who has been given a covenant)[5] – unless it is something worthless – are not lawful." [Reported by Abū Dā'ud].

(٨٠٤) وَعَنِ الْمِقْدَامِ بْنِ مَعْدِيكَرِبَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَلَا لَا يَحِلُّ ذُو نَابٍ مِنَ السِّبَاعِ، وَلَا الْحِمَارُ الْأَهْلِيُّ، وَلَا اللُّقَطَةُ مِنْ مَالِ مُعَاهِدٍ، إِلَّا أَنْ يَسْتَغْنِيَ عَنْهَا». رَوَاهُ أَبُو دَاوُدَ.

[1] Whenever a lost or fallen thing is found, two witnesses should be called at once. Similarly, at the time of its delivery, witnesses should also be called. Both witnesses are necessary. This is because of the possibility that after the delivery of the lost thing, another person may claim it giving true marks and signs of the thing thus creating a dispute and squabble.

[2] 'Abdur-Rahmān bin 'Uthmān bin 'Ubaidullah At-Taimi Al-Qurashi, the son of Talha bin 'Ubaidullah's brother, was a *Sahābi*. It was also said that though he lived during the lifetime of the Prophet ﷺ, he never met him. He became a Muslim on the day of *Al-Hudaibiya* or on the day of *Al-Fath* and was killed with 'Abdullah bin Az-Zubair in 73 H.

[3] Because a pilgrim is a traveler, and there is only a remote chance of a meeting between the pilgrim and the finder of lost thing, therefore it is ordered not to pick up the lost things of pilgrims.

[4] Al-Miqdām bin Ma'dikarib bin 'Amr Al-Kindi who was nicknamed Abū Karima or Abū Yahya was a prominent *Sahābi*. He settled at Shām and his *Ahadīth* spread among its people. He died in 47 H. at the age of 91 years.

[5] *Dhimmi* (الذمي) is an infidel living in an Islamic State and abiding by the laws of the state and *Mu'āhid* (معاهد) is an infidel visiting an Islamic State with visa and performing his job peacefully. The Islamic State is responsible for his safety and his property, etc. There is no difference between the lost property of a *Dhimmi* and *Mu'āhid* or a Muslim as for as the laws of lost property are concerned. However, if it is a worthless thing, then there is no harm in picking it up.

Chapter 20
AL-FARA'ID [1]
(THE SHARES OF INHERITANCE)

٢٠ - بَابُ الفَرَآئِضِ

805. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "Give the prescribed shares to those who are entitled to them,[2] and what remains goes to the nearest male relative (of the deceased)." [Agreed upon].

(٨٠٥) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَلْحِقُوا الفَرَائِضَ بِأَهْلِهَا، فَمَا بَقِيَ فَهُوَ لِأَوْلَى رَجُلٍ ذَكَرٍ». مُتَّفَقٌ عَلَيْهِ.

806. Narrated Usāma bin Zaid ﷺ: The Prophet ﷺ said, "A Muslim does not inherit from an infidel and an infidel does not inherit from a Muslim."[3] [Agreed upon].

(٨٠٦) وَعَنْ أُسَامَةَ بْنِ زَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَا يَرِثُ المُسْلِمُ الكَافِرَ، وَلَا يَرِثُ الكَافِرُ المُسْلِمَ». مُتَّفَقٌ عَلَيْهِ.

807. Narrated Ibn Mas'ūd ﷺ concerning the situation where there was a daughter, a son's daughter and a sister: The Prophet ﷺ ruled, "The daughter gets half and the son's daughter a sixth, completing two-thirds,[4] and what remains goes to the sister." [Reported by Al-Bukhāri].

(٨٠٧) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فِي بِنْتٍ، وَبِنْتِ ابْنٍ، وَأُخْتٍ، فَقَضَى النَّبِيُّ ﷺ «لِلابْنَةِ النِّصْفُ، وَلِابْنَةِ الابْنِ السُّدُسُ، تَكْمِلَةَ الثُّلُثَيْنِ، وَمَا بَقِيَ فَلِلأُخْتِ». رَوَاهُ البُخَارِيُّ.

808. Narrated 'Abdullāh bin 'Umar ﷺ: Allāh's Messenger ﷺ said, "People of two different religions do not inherit from one another." [Reported by Ahmad and *Al-Arba'a* except At-Tirmidhi; Al-Hākim reported it with Usāma's wording; An-Nasā'i reported Usāma's *Hadīth* with the aforesaid wording].

(٨٠٨) وَعَنْ عَبْدِ اللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَتَوَارَثُ أَهْلُ مِلَّتَيْنِ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ إِلَّا التِّرْمِذِيَّ، وَأَخْرَجَهُ الحَاكِمُ بِلَفْظِ أُسَامَةَ، وَرَوَى النَّسَآئِيُّ حَدِيثَ أُسَامَةَ بِهَذَا اللَّفْظِ.

809. Narrated 'Imrān bin Husain ﷺ: A man came to the Prophet ﷺ and said,

(٨٠٩) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ

[1] *Farā'id* (الفرائض) is plural of *Faridah* and it means the laws related to the distribution of inheritance.

[2] Those persons whose share is described in the Qur'ān are called *Dhul-Farā'id* (ذوالفرائض) while other possible inheritors are called *'Asabah* (عصبة); and some of the *Dhul-Farā'id* are *'Asabah* too. In the noble Qur'ān, six kinds of shares are fixed. These are: One-half, one-fourth, one-eight, two-thirds, one-third and one-sixth.

[3] Among the deceased and the heir, if one is non-Muslim, they cannot be heir of each other.

[4] Half to the daughter and one-sixth to the granddaughter (from father's side) and one-third will go to the sister. It means that the sister along with daughter and granddaughter becomes *'Asabah*.

تَعَالَى عَنْهُما قَالَ: جَآءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: إِنَّ ابْنَ ابْنِي، مَاتَ، فَمَا لِي مِنْ مِيرَاثِهِ؟ فَقَالَ: لَكَ السُّدُسُ، فَلَمَّا وَلَّى دَعَاهُ، فَقَالَ: لَكَ سُدُسٌ آخَرُ، فَلَمَّا وَلَّى دَعَاهُ، فَقَالَ: إِنَّ السُّدُسَ الآخَرَ طُعْمَةٌ. رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ، وَهُوَ مِنْ رِوَايَةِ الحَسَنِ البَصْرِيِّ عَنْ عِمْرَانَ، وَقِيلَ: إِنَّهُ لَمْ يَسْمَعْ مِنْهُ.

"My son's son (grandson) has died, so what do I receive from his estate (inheritance)?" He replied, "You receive a sixth;" then when he turned away he called him and said, "You receive another sixth;"[1] and when he turned away he called him and said, "The other sixth is an allowance (beyond what is due)." [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi graded it *Sahih* (authentic). It is from Al-Hasan Al-Basri's[2] narration on the authority of 'Imrān. However, it has been said that Al-Hasan did not hear (*Hadīth*) from 'Imrān].

(٨١٠) وَعَنِ ابْنِ بُرَيْدَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنْ أَبِيهِ أَنَّ النَّبِيَّ ﷺ جَعَلَ لِلْجَدَّةِ السُّدُسَ، إِذَا لَمْ يَكُنْ دُونَهَا أُمٌّ. رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ الجَارُودِ، وَقَوَّاهُ ابْنُ عَدِيٍّ.

810. Narrated Ibn Buraida ﷺ on the authority of his father: The Prophet ﷺ appointed a sixth to a grandmother[3] if no mother is left to inherit before her. [Reported by Abū Dā'ud and An-Nasā'i. Ibn Khuzaima and Ibn Al-Jārūd graded it *Sahih* (authentic) and Ibn 'Adi graded it strong].

(٨١١) وَعَنِ الْمِقْدَامِ بْنِ مَعْدِيكَرِبَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الخَالُ وَارِثُ مَنْ لَا وَارِثَ لَهُ». وَأَخْرَجَهُ أَحْمَدُ وَالأَرْبَعَةُ، سِوَى التِّرْمِذِيِّ، وَحَسَّنَهُ أَبُو

811. Narrated Al-Miqdām bin Ma'dikarib ﷺ: Allāh's Messenger ﷺ said, "A maternal uncle[4] is heir of him who has no inheritor." [Ahmad and *Al-Arba'a* reported it excluding At-Tirmidhi. Abū Zur'a Ar-Rāzi graded it

[1] The deceased left two daughters and one grandfather as heirs. The daughters got two-thirds, while the grandfather got one-sixth as *Dhul-Farā'id* and another one-sixth as *'Asabah*. The Prophet ﷺ told him only one-sixth at first, so that he would not think that his share is one-third, and then explained it to him again in the end.

[2] Al-Hasan bin Abūl Hasan Al-Basri was an Ansari slave. His father was called Yasār. Al-Hasan was one of the righteous *Imāms*. He was also reliable, pious, famous, a devout worshipper, very learned, eloquent, handsome, elegant, a great and very knowledgeable scholar. He was the head of the third generation of the *Tābi'in* and was born when two years remained from 'Umar's Caliphate. He saw 'Uthmān and 'Ali but did not hear a *Hadīth* from them. He died in Rajab 110 H. when he was nearly ninety years of age.

[3] Grandmothers in Arabic are *Jaddah Sahihah* (father's mother) and *Jaddah Fāsidah* (mother's mother). If the mother of the deceased is not alive, then the mother's share will go to father's mother or mother's mother. If both are present, they will share the fixed portion.

[4] These *Ahādīth* prove that if there is no *'Asabah* or *Dhul-Farā'id* heir, then the maternal uncle (mother's brother) will be an heir. It means that the maternal uncle is the last heir. If he too is not alive then the property will go to the public treasury (بيت المال). The maternal aunt (mother's sister) has the same status as the maternal uncle.

Hasan (good), and Al-Hākim and Ibn Hibbān graded it *Sahih* (authentic)].

زُرْعَةَ الرَّازِيُّ وَصَحَّحَهُ الحَاكِمُ وَابْنُ حِبَّانَ.

812. Narrated Abū Umāma bin Sahl[1] (ﷺ): 'Umar ﷺ wrote to Abū 'Ubaida[2] ﷺ that Allāh's Messenger ﷺ had said: "Allāh and His Messenger are the Patrons of him who has none and a maternal uncle is the heir of him who has no inheritor." [Reported by Ahmad and *Al-Arba'a* except Abū Dā'ud. At-Tirmidhi graded it *Hasan* (good); Ibn Hibbān graded it *Sahih* (authentic)].

(٨١٢) وَعَنْ أَبِي أُمَامَةَ بْنِ سَهْلٍ قَالَ: كَتَبَ مَعِيَ عُمَرُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ إِلَى أَبِي عُبَيْدَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «اللَّهُ وَرَسُولُهُ مَوْلَى مَنْ لَا مَوْلَى لَهُ، والخَالُ وَارِثُ مَنْ لَا وَارِثَ لَهُ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، سِوَى أَبِي دَاوُدَ، وَحَسَّنَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

813. Narrated Jābir ﷺ: The Prophet ﷺ said, "When a new born cries (at the time of birth)[3] (and then dies), it is treated as a heir." [Reported by Abū Dā'ud and graded as *Sahih* (authentic) by Ibn Hibbān].

(٨١٣) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «إِذَا اسْتَهَلَّ ٱلْمَوْلُودُ وَرِثَ». رَوَاهُ أَبُو دَاوُدَ. وَصَحَّحَهُ ابْنُ حِبَّانَ.

814. Narrated 'Amr bin Shu'aib on his father's authority from his grandfather ﷺ: Allāh's Messenger ﷺ said, "One who kills a man cannot inherit anything from him."[4] [Reported by An-Nasā'i and Ad-Dāraqutni. Ibn 'Abdul-Barr graded it *Qawiy* (strong), while An-Nasā'i declared it to be defective. The right opinion is that it is *Mawqūf* (a saying of a Companion) from 'Amr (bin Al-'Aas ﷺ)].

(٨١٤) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَيْسَ لِلْقَاتِلِ مِنَ ٱلْمِيرَاثِ شَيْءٌ». رَوَاهُ النَّسَائِيُّ وَالدَّارَقُطْنِيُّ، وَقَوَّاهُ ابْنُ عَبْدِ البَرِّ، وَأَعَلَّهُ النَّسَائِيُّ، وَالصَّوَابُ وَقْفُهُ عَلَى عَمْرٍو.

[1] His name was As'ad or Sa'd but was known by his nickname Abu Umāma bin Sahl bin Hunaif bin Wāhib Al-Ansāri Al-Ausi Al-Madani. He was counted among the *Sahaba* and he saw the Prophet ﷺ but never heard a *Hadith* from him. He died in 100 H. at the age of 92 H.

[2] He is Abū 'Ubaida 'Aamir bin 'Abdullāh bin Al-Jarrah bin Hilāl Al-Qurashi Al-Fihri who was one of the ten promised to enter *Janna* (Paradise). He became a Muslim early and migrated to Abyssinia (Ethiopia) during the second *Hijra*. He participated in Badr and the rest of the important battles. On the day of Uhud he removed with his teeth two metal points of the Prophet's helmet which had penetrated in his cheeks and lost two of his front teeth as a result. Abū 'Ubaida led the Muslim army during the conquest of Shām. He died in the plague of 'Amwās in 18 H. at the age of 58 years.

[3] The child who has a trace of life and whose Funeral prayer is offered, is also a heir and his inheritance is distributed as well.

[4] It means that a murderer has no right of inheritance from the property of the murdered. The murderer gets no share at all even he is an *'Asabah* or *Dhul-Faridah* of the murdered. Willful murder and unintentional murder are equal in this concern, according to the majority of the *Imams*, except Imam Mālik.

815. Narrated 'Umar bin Al-Khattāb ﷺ: I heard Allāh's Messenger ﷺ as saying, "The property which a parent or a child has a right to, goes to his *'Asabah* (paternal relatives)[1] whoever it may be. [Reported by Abū Dā'ud, An-Nasā'i and Ibn Mājah. Ibn Al-Madini and Ibn 'Abdul-Barr graded it *Sahih* (authentic)].

(٨١٥) وَعَنْ عُمَرَ بْنِ الخَطَّابِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «مَا أَحْرَزَ الوَالِدُ أَوِ الوَلَدُ فَهُوَ لِعَصَبَتِهِ مَنْ كَانَ». رَواهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ وَابْنُ مَاجَهْ وَصَحَّحَهُ ابْنُ المَدِينِيِّ وَابْنُ عَبْدِ البَرِّ.

816. Narrated 'Abdullāh bin 'Umar ﷺ: Allāh's Messenger ﷺ said, "The right to inheritance from a freed slave[2] is a relationship like the relationship of blood relatives (lineage); it cannot be sold or given away." [Al-Hākim reported it through Ash-Shāf'i's narration from Muhammad bin Al-Hasan[3] on the authority of Abū Yūsuf.[4] Ibn Hibbān graded it *Sahih* (authentic), while Al-Baihaqi graded it defective].

(٨١٦) وَعَنْ عَبْدِ اللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الوَلَاءُ لُحْمَةٌ كَلُحْمَةِ النَّسَبِ، لَا يُبَاعُ وَلَا يُوهَبُ». رَوَاهُ الحَاكِمُ مِنْ طَرِيقِ الشَّافِعِيِّ، عَنْ مُحَمَّدِ بْنِ الحَسَنِ، عَنْ أَبِي يُوسُفَ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَأَعَلَّهُ البَيْهَقِيُّ.

817. Narrated Abū Qilāba[5] on the authority of Anas ﷺ: Allāh's Messenger

(٨١٧) وَعَنْ أَبِي قِلَابَةَ، عَنْ أَنَسٍ رَضِيَ اللَّهُ

[1] *Wala'* (inheritance from the slave whom someone has freed) is not distributed like inheritance in *Dhul-Farā'id*. Instead, the nearest *'Asabah* has the right to that inheritance (*Walā'*). This is the correct opinion, though some scholars differ on this point.

[2] After the death of a freed slave or slave-girl his/her left property is called *Walā'* and he who pays the money for the freedom, becomes the heir after the death of the slave – if the freed slave has no blood relatives who are entitled to inheritance.

[3] Abū 'Abdullāh Muhammad bin Al-Hasan bin Farqad, Ash-Shaibāni by clientship, was one of the *Hanafi Imāms*. He was born in 132 H. at Wāsit and grew up at Kufa. He travelled to acquire the knowledge of *Hadīth* and met a group of the eminent learned men. He attended the study circle of Abū Hanifa for years, then acquired the knowledge of *Fiqh* from Abū Yūsuf. He then wrote many valuable books and spread the knowledge of Abū Hanifa. He also studied under Imām Mālik for three years. The *Hadīth* scholars considered his *Ahadīth* to be weak due to his memory. He died in 189 H. at Ranbuwaih, a village of Ar-Ray.

[4] He was the *Fiqh* scholar of 'Iraq and the learned Imam Al-Qādi Abū Yūsuf Ya'qūb bin Ibrāhim Al-Ansāri Al-Kufi, the companion of Abū Hanifa. He grew up in the acquisition of knowledge. His father was poor and Abū Hanifa used to give him a hundred after a hundred. Yahya bin Ma'in said, "There is no person among the *Fiqh* scholars who knows more *Ahadīth* or is more reliable (in the narration of *Hadīth*) than Abū Yūsuf." Yahya bin Yahya At-Tamimi said, "I heard Abū Yūsuf say at the time of his death, I have withdrawn from any (*Fiqh*) opinion which I gave in the past except that confirming with the Book (the Qur'ān) and the *Sunnah* – and in another version – except what is in the Qur'ān and the Muslims have agreed upon." He died in Rabi' Al-Akhir of the year 182 H. at the age of 69 years.

[5] The name of Abū Qilāba is 'Abdullāh bin Zaid bin 'Amr or 'Aamir Al-Jurmi Al-Basri. He was a great *Tābi'i*, reliable, virtuous and the narrator of many *Mursal Ahadīth*. He was among the

ﷺ said, "The most versed in the rules of inheritance among you is Zaid bin Thābit."[1] [Reported by Ahmad and *Al-Arba'a* except Abū Dā'ud. At-Tirmidhi, Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic). However, it was considered defective due to being *Mursal* (missing link in the chain after the *Tābi'i*)].

تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَفْرَضُكُمْ زَيْدُ بْنُ ثَابِتٍ». أَخْرَجَهُ أَحْمَدُ وَالأَرْبَعَةُ، سِوَى أَبِي دَاوُدَ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ وَالحَاكِمُ. وَأُعِلَّ بِالإِرْسَالِ.

Chapter 21
AL-WASAYA[2]
(THE WILLS AND TESTAMENTS)

٢١ - بَابُ الوَصَايَا

818. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "It is not permissible for a Muslim person, who has something he wants to give as a bequest, to have it for two nights without having his will[3] regarding it written and kept ready with him." [Agreed upon].

(٨١٨) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَا حَقُّ امْرِئٍ مُسْلِمٍ لَهُ شَيْءٌ يُرِيدُ أَنْ يُوصِيَ فِيهِ، يَبِيتُ لَيْلَتَيْنِ إِلَّا وَوَصِيَّتُهُ مَكْتُوبَةٌ عِنْدَهُ». مُتَّفَقٌ عَلَيْهِ.

819. Narrated Sa'd bin Abī Waqqās ﷺ: I said, "O Allāh's Messenger, I have wealth and no one to inherit from me except my one daughter. Shall I give

(٨١٩) وَعَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قُلْتُ: يَا رَسُولَ اللهِ! أَنَا ذُو مَالٍ، وَلَا يَرِثُنِي إِلَّا ابْنَةٌ لِي وَاحِدَةٌ، أَفَأَتَصَدَّقُ

---

sixth generation and died in Shām in 104 H. or 106 H. or 107 H. while refusing the responsibility of holding the office of the *Qadi*.

[1] The Prophet ﷺ said, "The most merciful of my *Ummah* is Abu Bakr; the most firm of them in religion is 'Umar; the most sincere in modesty amongst them is 'Uthmān; the best judge amongst them is 'Ali; the best reciter amongst them is Ubai bin Ka'b; the one who possesses the best knowledge of the lawful and the unlawful things is Mu'ādh bin Jabal; the one who possesses the best knowledge of obligatory shares (regarding descent and division of inheritance) is Zaid bin Thābit. Behold, verily, every *Ummah* has a trustworthy guardian and the trustworthy guardian of this *Ummah* is Abū 'Ubaida bin Jarrah."

On the basis of this *Hadīth*, the word of Zaid bin Thābit is preferred concerning disputed issues of inheritance.

[2] Linguistically *Wasīyah* (الوصية) means: to command, advise or recommend something. According to the *Shari'a* it is a will or testament – to use a portion (one third) of a person's wealth in a particular manner – to be acted upon after the death of the person who made it.

[3] Prior to the revelation of the Verses of Inheritance, making a will was obligatory. However, after the revelation this order was cancelled. Likewise, one can make a will for matters other than inheritance. Today, a bequest is sometimes very necessary, for example, in the presence of one's son to make a will for the grandson from a deceased son. The written form of will is not a necessity. However, it is important for the confirmation of an oral will, and to avoid any misunderstanding arising afterwards.

two-thirds of my property as *Sadaqa*?" He replied, "No." I said, "Shall I give half of it as *Sadaqa?*" He replied, "No." I said, "Shall I give a third of it as *Sadaqa*?" He replied, "You may give a third[1] as *Sadaqa*, which is still a lot. To leave your heirs rich is better than to leave them poor and begging from people." [Agreed upon].

بِثُلُثَيْ مَالِي؟ قَالَ: «لَا»، قُلْتُ: أَفَأَتَصَدَّقُ بِشَطْرِهِ؟ قَالَ: «لَا»، قُلْتُ: أَفَأَتَصَدَّقُ بِثُلُثِهِ؟ قَالَ: «اَلثُّلُثُ، وَالثُّلُثُ كَثِيرٌ، إِنَّكَ أَنْ تَذَرَ وَرَثَتَكَ أَغْنِيَاءَ خَيْرٌ مِّنْ أَنْ تَذَرَهُمْ عَالَةً يَتَكَفَّفُونَ النَّاسَ». مُتَّفَقٌ عَلَيْهِ.

820. Narrated 'Aisha ﷺ: A man[2] came to the Prophet ﷺ and said, "O Allāh's Messenger, my mother had died suddenly, and did not make a will. And I think she would have given out *Sadaqa* if she had been able to speak, so will she get a reward if I gave out *Sadaqa* on her behalf?" He replied, "Yes." [Agreed upon; the wording is Muslim's].

(٨٢٠) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ رَجُلاً أَتَى النَّبِيَّ ﷺ، فَقَالَ: يَا رَسُولَ اللهِ! إِنَّ أُمِّي اُفْتُلِتَتْ نَفْسُهَا، وَلَمْ تُوصِ، وَأَظُنُّهَا لَوْ تَكَلَّمَتْ تَصَدَّقَتْ، أَفَلَهَا أَجْرٌ إِنْ تَصَدَّقْتُ عَنْهَا؟ قَالَ: «نَعَمْ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

821. Narrated Abū Umāma Al-Bāhili ﷺ: I heard Allāh's Messenger ﷺ saying, "Allāh has appointed for everyone who has a right what is due to him, and no *Wasiyah* (will) should be made to an heir."[3] [Reported by Ahmad and *Al-Arba'a* except An-Nasā'i. Ahmad and At-Tirmidhi graded it *Hasan* (good), while Ibn Khuzaima and Ibn Al-Jārūd graded it *Qawī* (strong)]. Ad-Dāraqutni reported the aforesaid *Hadīth* from the narration of Ibn 'Abbās (ﷺ); and he added in its end: "unless the other heirs wish so." [Its chain of narrators is *Hasan* (good)].

(٨٢١) وَعَنْ أَبِي أُمَامَةَ البَاهِلِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «إِنَّ اللَّهَ قَدْ أَعْطَى كُلَّ ذِي حَقٍّ حَقَّهُ. فَلَا وَصِيَّةَ لِوَارِثٍ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ إِلَّا النَّسَائِيَّ، وَحَسَّنَهُ أَحْمَدُ وَالتِّرْمِذِيُّ، وَقَوَّاهُ ابْنُ خُزَيْمَةَ وَابْنُ الجَارُودِ، وَرَوَاهُ الدَّارَقُطْنِيُّ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ، وَزَادَ فِي آخِرِهِ: «إِلَّا أَنْ يَشَاءَ الوَرَثَةُ»، وَإِسْنَادُهُ حَسَنٌ.

822. Narrated Mu'ādh bin Jabal ﷺ: The

(٨٢٢) وَعَنْ مُعَاذِ بْنِ جَبَلٍ رَضِيَ اللَّهُ تَعَالَى

[1] A will can be made at the most for one-third of the whole of the property. If it is less than one-third, it is better. However, with the permission of other heirs it is permitted for more than one-third. If the heirs are alive, than it is not allowed to make it for more than one-third.

[2] This man was Sa'd bin 'Ubāda رضي الله عنه. We come to know through this *Hadīth* that sons and daughters are allowed and permitted to give something in charity from the property left as inheritance without a bequest for doing so, parents do get the reward for this virtuous deed.

[3] It means that a will cannot be made for a heir, but with the permission of other heirs it is permitted, just as a bequest for more than one-third is permitted for a stranger with the permission of heirs.

Prophet ﷺ said, "Allāh gave (a favor)[1] as *Sadaqa* to you a third of your property, when you are about to die, as an increase in your good deeds." [Reported by Ad-Dāraqutni]. Ahmad and Al-Bazzār reported the aforesaid narration from the *Hadīth* of Abū Ad-Dardā, while Ibn Mājah reported it from the *Hadīth* of Abū Huraira (ﷺ). All of them (i.e. these three chains of narrators) are weak. However, they may strengthen one another [becoming *Hasan*], and Allāh Knows Best.

عَنْهُ قَالَ: قَالَ النَّبِيُّ ﷺ: «إِنَّ اللَّهَ تَصَدَّقَ عَلَيْكُمْ بِثُلُثِ أَمْوَالِكُمْ عِنْدَ وَفَاتِكُمْ، زِيَادَةً فِي حَسَنَاتِكُمْ». رَوَاهُ الدَّارَقُطْنِيُّ. وَأَخْرَجَهُ أَحْمَدُ وَالبَزَّارُ مِنْ حَدِيثِ أَبِي الدَّرْدَاءِ، وَابْنُ مَاجَهْ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ، وَكُلُّهَا ضَعِيفَةٌ، لٰكِن قَدْ تَقَوَّى بَعْضُهَا بِبَعْضٍ، وَاللَّهُ أَعْلَمُ.

Chapter 22
AL-WADI'A (TRUSTS)

٢٢ - بَابُ الوَدِيعَةِ

823. Narrated 'Amr bin Shu'aib on his father's authority from his grandfather: The Prophet ﷺ said, "There is no liability[2] on him who is entrusted with something." [Ibn Mājah reported it, but its chain of narrators is *Da'if* (weak)].

(٨٢٣) عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ أُودِعَ وَدِيعَةً فَلَيْسَ عَلَيْهِ ضَمَانٌ». أَخْرَجَهُ ابْنُ مَاجَهْ، وَإِسْنَادُهُ ضَعِيفٌ.

[The Chapter on the division of *Sadaqa* has preceded at the end of the Book of *Zakāt*. The Chapter on the division of tributes from territories the Muslims have conquered, and spoils of war, will follow the Book of *Jihād*, if Allāh the Most High wills.]

وَبَابُ قِسْمِ الصَّدَقَاتِ تَقَدَّمَ فِي آخِرِ الزَّكَاةِ، وَبَابُ قِسْمِ الفَيْءِ وَالغَنِيمَةِ يَأْتِي عَقِبَ الجِهَادِ إِنْ شَاءَ اللَّهُ تَعَالَى.

[1] In Arabic, *Ihsān* (الإحسان) is a favor because in the lifetime, while hale and hearty one had the privilege to spend his money according to his free will, but after death he has no concern with his own wealth. This is Allāh Who allowed him to spend one-third of his wealth near death and make addition to his good deeds.

[2] Difference between *Amānah* (الأمانة – trust) and *'Aariyah* (العارية – loan) is that what a person borrows for his own purpose and use is *'Aariyah*; while *Amānah* is that thing which a person entrusts another for safety. One can use *'Aariyah* as he has borrowed it for use but the use of *Amānah* is prohibited. If *'Aariyah* is destroyed, the borrower has to pay for it. As for *Amānah,* if it is destroyed by accident, with any negligence on the part of the trustee, he does not have to pay for it. However, if the trustee has used the *Amānah* or a part of it, than he has to pay for any damage.

8. THE BOOK OF MARRIAGE

٨ - كِتَابُ النِّكَاحِ

824. Narrated 'Abdullāh bin Mas'ūd ﷺ: Allāh's Messenger ﷺ said to us, "O young men, those of you who can support a wife should marry,[1] for it (marriage) controls the gaze and preserves one from immorality. And whoever cannot (marry) should fast, for it is a means of reducing the sexual desire." [Agreed upon].

(٨٢٤) عَنْ عَبْدِ اللهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ لَنَا رَسُولُ اللهِ ﷺ: «يَا مَعْشَرَ الشَّبَابِ! مَنِ اسْتَطَاعَ مِنْكُمُ البَاءَةَ فَلْيَتَزَوَّجْ، فَإِنَّهُ أَغَضُّ لِلْبَصَرِ، وَأَحْصَنُ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ، فَإِنَّهُ لَهُ وِجَاءٌ». مُتَّفَقٌ عَلَيْهِ.

825. Narrated Anas bin Mālik ﷺ: The Prophet ﷺ praised Allāh, extolled Him and said, "Yet I pray[2] and sleep; I fast and break my fast; and I marry women. He who is displeased with my *Sunnah* (practices) is not my follower." [Agreed upon].

(٨٢٥) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ حَمِدَ اللَّهَ، وَأَثْنَى عَلَيْهِ، وَقَالَ: «لَكِنِّي أَنَا أُصَلِّي، وَأَنَامُ، وَأَصُومُ، وَأُفْطِرُ، وَأَتَزَوَّجُ النِّسَاءَ، فَمَنْ رَغِبَ عَنْ سُنَّتِي فَلَيْسَ مِنِّي». مُتَّفَقٌ عَلَيْهِ.

826. Narrated (Anas bin Mālik) ﷺ: 'Allāh's Messenger ﷺ used to command us to marry and sternly forbid celibacy[3] and say, "Marry women who are beloved (due to their good characteristics), prolific in bearing children, for I shall outnumber the Prophets by you on the Day of Resurrection." [Reported by Ahmad and Ibn Hibbān graded it *Sahih* (authentic)]. The aforesaid *Hadīth* has a supporting narration reported by Abū Dā'ud, An-Nasā'i and Ibn Hibbān from Ma'qal bin Yasār's *Hadīth*.

(٨٢٦) وَعَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَأْمُرُ بِالبَاءَةِ، وَيَنْهَى عَنِ التَّبَتُّلِ نَهْياً شَدِيداً، وَيَقُولُ: «تَزَوَّجُوا الوَلُودَ الوَدُودَ، فَإِنِّي مُكَاثِرٌ بِكُمُ الأَنْبِيَاءَ يَوْمَ القِيَامَةِ». رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَلَهُ شَاهِدٌ عِنْدَ أَبِي دَاوُدَ وَالنَّسَائِيِّ وَابْنِ حِبَّانَ أَيْضاً مِنْ حَدِيثِ مَعْقِلِ بْنِ يَسَارٍ.

827. Narrated Abū Huraira ﷺ: The

(٨٢٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ،

[1] It means that if one has enough power (physical and financial) for *Nikāh* (marriage), he should do it. Some of the scholars consider it obligatory and some others regard it only desirable.

[2] It means exaggeration in supererogatory worship is unlawful. It makes a man tired and he even fails to perform obligatory worship. A man becomes goes out of Islam if he starts thinking that his way of worship is better than the way of the Prophet ﷺ.

[3] *Tabattul* (التبتل) means not to marry, thinking that avoiding marriage is a form of worship, and thinking that engaging in marriage is a hindrance to worship. It is agreed by all that *Tabattul* is an unlawful action. However, not marrying due to some unavoidable circumstances or some other reasons is quite a different matter.

Prophet ﷺ said, "A woman is married for four qualities,[1] for her wealth, her family status, her beauty and her religion; so get the religious one and prosper." [Agreed upon, with the rest of *As-Sab'a*].

عَنِ النَّبِيِّ ﷺ قَالَ: «تُنْكَحُ الْمَرْأَةُ لِأَرْبَعٍ: لِمَالِهَا، وَلِحَسَبِهَا، وَلِجَمَالِهَا، وَلِدِينِهَا، فَاظْفَرْ بِذَاتِ الدِّينِ، تَرِبَتْ يَدَاكَ». مُتَّفَقٌ عَلَيْهِ مَعَ بَقِيَّةِ السَّبْعَةِ.

828. Narrated (Abū Huraira) ؓ: When the Prophet ﷺ congratulated a man on his marriage he would say,[2] "Allāh bless for you (your spouse), grant you blessing, and join you together in goodness." [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi, Ibn Khuzaima and Ibn Hibbān graded it *Sahih* (authentic)].

(٨٢٨) وَعَنْهُ أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا رَفَّأَ إِنْسَانًا، إِذَا تَزَوَّجَ، قَالَ: «بَارَكَ اللَّهُ لَكَ، وَبَارَكَ عَلَيْكَ، وَجَمَعَ بَيْنَكُمَا فِي خَيْرٍ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ.

829. Narrated 'Abdullāh bin Mas'ūd ؓ: Allāh's Messenger ﷺ taught us *At-Tashahhud* in case of some need, which is:[3] "Praise is due to Allāh, Whom we praise and from Whom we ask help and forgiveness. We seek refuge in Allāh from the evils of ourselves. He whom Allāh guides has no one who can lead him astray, and he whom He leads astray has no one to guide him. I testify that there is nothing deserving of worship except Allāh, and I testify that Muhammad is His slave and Messenger." He (then) recites three Verses. [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi and Al-Hākim graded it *Hasan* (good)].

(٨٢٩) وَعَنْ عَبْدِ اللهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: عَلَّمَنَا رَسُولُ اللهِ ﷺ التَّشَهُّدَ فِي الحَاجَةِ «إِنَّ الحَمْدَ للهِ، نَحْمَدُهُ، وَنَسْتَعِينُهُ، وَنَسْتَغْفِرُهُ، وَنَعُوذُ بِاللهِ مِنْ شُرُورِ أَنْفُسِنَا، مَنْ يَهْدِهِ اللَّهُ فَلَا مُضِلَّ لَهُ، وَمَنْ يُضْلِلْ فَلَا هَادِيَ لَهُ، وَأَشْهَدُ أَنْ لَّا إِلٰهَ إِلَّا اللَّهُ، وَأَشْهَدُ أَنَّ مُحَمَّداً عَبْدُهُ وَرَسُولُهُ، وَيَقْرَأُ ثَلَاثَ آيَاتٍ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَحَسَّنَهُ التِّرْمِذِيُّ وَالحَاكِمُ.

830. Narrated Jābir ؓ: Allāh's Messenger ﷺ said, "When one of you proposes (marriage) to a woman, if he is able to look at what will induce him

(٨٣٠) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا خَطَبَ أَحَدُكُمُ الْمَرْأَةَ فَإِنِ اسْتَطَاعَ أَنْ يَنْظُرَ مِنْهَا إِلَى مَا يَدْعُوهُ إِلَى

[1] The Prophet ﷺ said that there are four qualities for which a man might marry a woman. From these a Muslim should prefer a religious woman for marriage because the company one keeps affects a person. If a woman is married for another quality, there is possibility of man's going astray and leaving the religion. Another reason for choosing a religious woman is that she is the first teacher of children, and she can lead the children, the way she wants – right or wrong.

[2] The Prophet ﷺ used to ask Allāh's blessing, unity, harmony and love for the newly married couple in these words.

[3] The Prophet ﷺ taught this supplication for the fulfillment of every need.

to marry her,[1] he should do so." [Reported by Ahmad and Abū Dā'ud. Its narrators are *Thiqa* (reliable) and Al-Hākim declared it to be *Sahih* (authentic)]. The aforesaid *Hadīth* has a supporting narration reported by At-Tirmidhi and An-Nasā'i from Al-Mughira. It also has a supporting narration reported by Ibn Mājah and Ibn Hibbān from the *Hadīth* of Muhammad bin Maslama.[2]

نِكَاحِهَا فَلْيَفْعَلْ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَرِجَالُهُ ثِقَاتٌ، وَصَحَّحَهُ الحَاكِمُ. وَلَهُ شَاهِدٌ عِنْدَ التِّرْمِذِيِّ وَالنَّسَائِيِّ عَنِ المُغِيرَةِ، وَعِنْدَ ابْنِ مَاجَهْ وَابْنِ حِبَّانَ مِنْ حَدِيثِ مُحَمَّدِ بْنِ مَسْلَمَةَ.

831. Muslim reported from Abū Huraira ﷺ: The Prophet ﷺ asked a man who had intended to marry a woman, "Have you looked at her?" He replied, "No." He said, "Go and look at her."

(٨٣١) وَلِمُسْلِمٍ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ لِرَجُلٍ تَزَوَّجَ امْرَأَةً: «أَنَظَرْتَ إِلَيْهَا؟» قَالَ: لَا، قَالَ: «اذْهَبْ فَانْظُرْ إِلَيْهَا».

832. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "No one of you should ask a woman in marriage when his brother has done so already,[3] until the one who has proposed (to her) before him gives her up, or gives him permission." [Agreed upon. The wording is Al-Bukhāri's].

(٨٣٢) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَخْطُبْ أَحَدُكُمْ عَلَى خِطْبَةِ أَخِيهِ، حَتَّى يَتْرُكَ الخَاطِبُ قَبْلَهُ، أَوْ يَأْذَنَ لَهُ الخَاطِبُ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

833. Narrated Sahl bin Sa'd As-Sā'idi ﷺ: A woman came to Allāh's Messenger ﷺ and said, "O Allāh's Messenger, I came to offer myself to you (in marriage)." Allāh's Messenger ﷺ looked her up and down (carefully), and then Allāh's Messenger ﷺ lowed his head. When the woman saw that he had not made any decision regarding her she sat down. A man of his companions then stood up and said, "O Allāh's Messenger, if you have no need for her, marry her to me." He asked, "Do you

(٨٣٣) وَعَنْ سَهْلِ بْنِ سَعْدٍ السَّاعِدِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: جَاءَتِ امْرَأَةٌ إِلَى رَسُولِ اللهِ ﷺ فَقَالَتْ: يَا رَسُولَ اللهِ! جِئْتُ أَهَبُ لَكَ نَفْسِي، فَنَظَرَ إِلَيْهَا رَسُولُ اللهِ ﷺ، فَصَعَّدَ النَّظَرَ فِيهَا وَصَوَّبَهُ، ثُمَّ طَأْطَأَ رَسُولُ اللهِ ﷺ رَأْسَهُ، فَلَمَّا رَأَتِ المَرْأَةُ أَنَّهُ لَمْ يَقْضِ فِيهَا شَيْئاً جَلَسَتْ، فَقَامَ رَجُلٌ مِنْ أَصْحَابِهِ، فَقَالَ: يَا رَسُولَ اللهِ! إِنْ لَمْ تَكُنْ لَكَ بِهَا حَاجَةٌ فَزَوِّجْنِيهَا، قَالَ: «فَهَلْ عِنْدَكَ مِنْ شَيْءٍ؟»

[1] i.e. her external features like the height, face, hands and the like.

[2] He was an Ansāri, a Hārithi and among the virtuous *Sahāba*. He witnessed all the major battles except Tabuk. He became a Muslim through the efforts of Mus'ab bin 'Umair and died in 43 H. at the age of 77 years.

[3] This prohibition is to evade an already settled betrothal (engagement to marry). If a girl is already promised to someone, the second person should not make a proposal. However, if the first is cancelled, than it is permitted to make a proposal.

have anything (to give her as dowry)?" He replied, "No, I swear by Allāh, O Allāh's Messenger." He thereupon said, "Go to your family and see if you can find something." He went and then returned and said, "No, I swear by Allāh I found nothing." Allāh's Messenger ﷺ then said, "Look for something, even if it should be an iron ring." He went and then returned and said, "No, I swear by Allāh, O Allāh's Messenger, not even an iron ring; but I have only this lower garment of mine – [Sahl said, 'He had no upper garment'] – and I shall give her half of it." Allāh's Messenger ﷺ then said, "What will she do with your lower garment? For if you wear it, there would be nothing of it on her, and if she wears it, there would be nothing of it on you." The man then sat down and when he had sit for a long time he stood up and Allāh's Messenger ﷺ saw him departing, so he commanded him and he was called back. When he came back, he said, "What do you have (i.e. memorized) from the Qur'ān?" He replied, "I have *Sūrat* such and such and *Sūrat* such and such," he counted them. He then asked "Can you recite them by heart?" He replied, "Yes". He said, "Go, for I have given her to you in marriage for the part of the Qur'ān which you know."[1] [Agreed upon; the wording is Muslim's]. Another narration has: "Go for I have given her to you in marriage, so teach her some of the Qur'ān." A narration by Al-Bukhāri has: "I have married her to you for the part of the Qur'ān which you know."

فَقَالَ: لَا، وَاللهِ يَا رَسُولَ اللهِ! فَقَالَ: «اذْهَبْ إِلَى أَهْلِكَ، فَانْظُرْ هَلْ تَجِدُ شَيْئاً؟» فَذَهَبَ، ثُمَّ رَجَعَ، فَقَالَ: لَا وَاللهِ، مَا وَجَدْتُ شَيْئاً. فَقَالَ رَسُولُ اللهِ ﷺ: «انْظُرْ وَلَوْ خَاتَماً مِنْ حَدِيدٍ»، فَذَهَبَ ثُمَّ رَجَعَ، فَقَالَ: لَا وَاللهِ يَا رَسُولَ اللهِ! وَلَا خَاتَماً مِنْ حَدِيدٍ، وَلٰكِنْ هٰذَا إِزَارِي (- قَالَ سَهْلٌ: - مَالَهُ رِدَاءٌ -) فَلَهَا نِصْفُهُ، فَقَالَ رَسُولُ اللهِ ﷺ: «مَا تَصْنَعُ بِإِزَارِكَ؟ إِنْ لَبِسْتَهُ لَمْ يَكُنْ عَلَيْهَا مِنْهُ شَيْءٌ، وَإِنْ لَبِسَتْهُ لَمْ يَكُنْ عَلَيْكَ مِنْهُ شَيْءٌ»، فَجَلَسَ الرَّجُلُ، حَتَّى إِذَا طَالَ مَجْلِسُهُ قَامَ، فَرَآهُ رَسُولُ اللهِ ﷺ مُوَلِّياً فَأَمَرَ بِهِ فَدُعِيَ بِهِ، فَلَمَّا جَاءَ، قَالَ: «مَاذَا مَعَكَ مِنَ الْقُرْآنِ؟» قَالَ: مَعِي سُورَةُ كَذَا، وَسُورَةُ كَذَا، عَدَّدَهَا، فَقَالَ: «تَقْرَؤُهُنَّ عَنْ ظَهْرِ قَلْبِكَ؟» قَالَ: نَعَمْ، قَالَ: «اذْهَبْ فَقَدْ مَلَّكْتُكَهَا بِمَا مَعَكَ مِنَ الْقُرْآنِ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ. وَفِي رِوَايَةٍ لَهُ: «انْطَلِقْ فَقَدْ زَوَّجْتُكَهَا فَعَلِّمْهَا مِنَ الْقُرْآنِ». وَفِي رِوَايَةٍ لِلْبُخَارِيِّ: «أَمْلَكْنَاكَهَا بِمَا مَعَكَ مِنَ الْقُرْآنِ».

Abū Dā'ud has a narration from Abū

وَلِأَبِي دَاوُدَ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى

[1] This *Hadīth* clarifies many issues, among them one is that teaching Qur'ān can also be a marriage dowry. Another thing made clear is that the amount of the dowry is not fixed. Some people bring a *Hadīth* as a proof that the minimum amount is ten Dirhams. This is not correct and this *Hadīth* has no base.

Huraira ﷺ: He asked, "What have you memorized?" He replied, "*Sūrat Al-Baqarah* and the one that follows it." He then said, "Get up and teach her twenty Verses."

عَنْهُ قَالَ: مَا تَحْفَظُ؟ قَالَ: سَورَةَ البَقَرَةِ وَالَّتِي تَلِيهَا، قَالَ: «فَقُمْ، فَعَلِّمْهَا عِشْرِيْنَ آيَةً».

834. Narrated 'Aamir bin 'Abdullāh[1] bin Az-Zubair on the authority of his father: Allāh's Messenger ﷺ said, "Make marriage publicly known."[2] [Reported by Ahmad and Al-Hākim graded it *Sahih* (authentic)].

(٨٣٤) وَعَنْ عَامِرِ بْنِ عَبْدِ اللهِ بْنِ الزُّبَيْرِ، عَنْ أَبِيهِ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «أَعْلِنُوا النِّكَاحَ». رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ الحَاكِمُ.

835. Narrated Abū Burda bin Abū Mūsa on the authority of his father; Allāh's Messenger ﷺ said, "There is no marriage without a guardian."[3] [Ahmad and *Al-Arba'a* reported it. Ibn Al-Madīnī, At-Tirmidhi and Ibn Hibbān graded it *Sahih* (authentic), but it was regarded defective for being *Mursal* (missing link after the *Tābi'ī*)].

(٨٣٥) وَعَنْ أَبِي بُرْدَةَ عن أَبِي مُوسَى، عَنْ أَبِيهِ، قَالَ: قَالَ رَسولُ اللهِ ﷺ: «لَا نِكَاحَ إِلَّا بِوَلِيٍّ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ المَدِينِيِّ وَالتِّرْمِذِيُّ وَابْنُ حِبَّانَ، وَأُعِلَّ بِالإِرْسَالِ.

Imām Ahmad reported from Al-Hasan from 'Imrān bin Al-Husain as *Marfu'* (attributed to the Prophet): "There is no marriage without a guardian and two witnesses."

[وَرَوَى الإِمَامُ أَحْمَدُ، عَنِ الحَسَنِ، عَنْ عِمْرَانَ بْنِ الحُصَيْنِ مَرْفُوعاً: لَا نِكَاحَ إِلَّا بِوَلِيٍّ وَشَاهِدَيْنِ].

836. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ said, "If any woman marries without the consent of her guardian, her marriage is invalid. If there is cohabitation, she is entitled to the

(٨٣٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «أَيُّمَا امْرَأَةٍ نَكَحَتْ بِغَيْرِ إِذْنِ وَلِيِّهَا فَنِكَاحُهَا بَاطِلٌ، فَإِنْ دَخَلَ بِهَا

[1] He is 'Aamir bin 'Abdullāh bin Az-Zubair bin Al-'Awwam Al-Asadi Al-Qurashi Al-Madani. He was a *Tābi'i* and heard *Ahadīth* from his father and others. He was reliable and pious, and died in 124 H.

[2] After the matrimonial ceremony, its announcement is essential to avoid the disgrace and unnecessary criticism of people and for many other reasons. There are many forms of this announcement. Witnesses at the time of matrimonial rites are also a form of announcement. To announce in the assembly of people is another form. It can also be announced by playing *Duff* (small tambourine) but a musical band or fireworks are not allowed.

[3] This *Hadīth* has been reported by about thirty Companions of the Prophet ﷺ. Some of its chains of narrators are authentic. The first guardian is the father and the grandfather, then the brothers, and afterwards the uncles. If there is a difference of opinion among two guardians, whoever is nearer, his opinion will be preferred, and if both of them are equally near in relation as brothers and uncles, than the present ruler will be the guardian and authority to decide. If two guardians of equal status marry a woman separately, then the first marriage will be legal and the later will be considered invalid. If the married woman agrees to one guardian and differs with the other, than the opinion of the woman will be preferred.

dowry, due to the sexual intercourse made lawful with her. If there is a dispute (between her guardians), the ruler is the guardian of one who has no guardian." [Reported by *Al-Arba'a* except An-Nasā'i. Abū 'Awāna, Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

فَلَهَا الْمَهْرُ بِمَا اسْتَحَلَّ مِنْ فَرْجِهَا، فَإِنِ اشْتَجَرُوا فَالسُّلْطَانُ وَلِيُّ مَنْ لَا وَلِيَّ لَهُ». أَخْرَجَهُ الأَرْبَعَةُ إِلَّا النَّسَائِيَّ، وَصَحَّحَهُ أَبُو عَوَانَةَ وَابْنُ حِبَّانَ وَالحَاكِمُ.

837. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "A previously married woman must not be married till she is consulted, and a virgin must not be married till her consent is asked."[1] They asked, "O Allāh's Messenger, how is her consent indicated?" He replied, "It is by her silence." [Agreed upon].

(٨٣٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا تُنْكَحُ الأَيِّمُ حَتَّى تُسْتَأْمَرَ، وَلَا تُنْكَحُ البِكْرُ حَتَّى تُسْتَأْذَنَ»، قَالُوا: يَا رَسُولَ اللهِ! وَكَيْفَ إِذْنُهَا؟ قَالَ: «أَنْ تَسْكُتَ». مُتَّفَقٌ عَلَيْهِ.

838. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ said, "A woman who has been previously married has more right over her person than her guardian,[2] and a virgin must be consulted, and her consent is her silence." [Reported by Muslim].

(٨٣٨) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «الثَّيِّبُ أَحَقُّ بِنَفْسِهَا مِنْ وَلِيِّهَا، وَالبِكْرُ تُسْتَأْمَرُ، وَإِذْنُهَا سُكُوتُهَا». رَوَاهُ مُسْلِمٌ.

Another narration has: "A guardian has no authority over a woman who has been previously married; and an orphan girl must be consulted." [Reported by Abū Dā'ud and An-Nasā'i; Ibn Hibbān graded it *Sahih* (authentic)].

وَفِي لَفْظٍ: «لَيْسَ لِلْوَلِيِّ مَعَ الثَّيِّبِ أَمْرٌ وَالْيَتِيمَةُ تُسْتَأْمَرُ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ وَصَحَّحَهُ ابْنُ حِبَّانَ.

839. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "A woman may not

(٨٣٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تُزَوِّجُ الْمَرْأَةُ

[1] Consent of the woman is essential for marriage. If a guardian, even the father marries his daughter without her consent, she has got the right to cancel it.

Aiyim is the word in Arabic for a woman who already has sexual experience, she may be widowed or divorced. An unmarried adulteress in reality is an *Aiyim*, but under the orders of *Shari'a*, she is not *Aiyim*. *Aiyim* must give her consent by word for her marriage otherwise the marriage is not legal. As for a virgin who has not reached puberty, then her consent is not necessary, only the permission of the *Wali* is sufficient.

[2] It only means that an *Aiyim* cannot be married without her consent, but it does not mean that she can marry without a guardian. If there is a difference of opinion among *Aiyim* and her guardian on the choice of spouse, and the woman's choice is from her kin and she has no illicit relation with him, then the guardian will be compelled to agree with *Aiyim*, and if he does not agree, she can ask the permission of the ruler and marry. *Dhul Arhām* (relatives on the maternal side) can not be *Wali* (guardian).

give a woman in marriage, nor may she give herself in marriage."[1] [Reported by Ibn Mājah and Ad-Dāraqutni. Its narrators are reliable (***thiqah***)].

الْمَرْأَةَ، وَلَا تُزَوِّجُ الْمَرْأَةُ نَفْسَهَا». رَوَاهُ ابْنُ مَاجَهْ وَالدَّارَقُطْنِيُّ، وَرِجَالُهُ ثِقَاتٌ.

840. Narrated Nāfi' from Ibn 'Umar: Allāh's Messenger ﷺ prohibited ***Shighār***, which means that a man gives his daughter in marriage on condition that the other gives his daughter to him in marriage [in exchange] without any dowry being paid by either. [Agreed upon]. And they both agreed that the explanation of the meaning of ***Shighār*** is the saying of Nāfi'.

(٨٤٠) وَعَنْ نَافِعٍ عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنِ الشِّغَارِ، وَالشِّغَارُ أَنْ يُزَوِّجَ الرَّجُلُ ابْنَتَهُ عَلَى أَنْ يُزَوِّجَهُ الآخَرُ ابْنَتَهُ، وَلَيْسَ بَيْنَهُمَا صَدَاقٌ. مُتَّفَقٌ عَلَيْهِ، وَاتَّفَقَا مِنْ وَجْهٍ آخَرَ عَلَى أَنَّ تَفْسِيرَ الشِّغَارِ مِنْ كَلَامِ نَافِعٍ.

841. Narrated Ibn 'Abbās: A virgin girl came to the Prophet ﷺ and mentioned that her father had married her against her will, so Allāh's Messenger ﷺ allowed her to exercise her choice.[2] [Reported by Ahmad, Abū Dā'ud and Ibn Mājah. If it is considered defective for being ***Mursal*** (missing link in the chain after the ***Tābi'i***)].

(٨٤١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّ جَارِيَةً بِكْراً أَتَتِ النَّبِيَّ ﷺ، فَذَكَرَتْ أَنَّ أَبَاهَا زَوَّجَهَا وَهِيَ كَارِهَةٌ، فَخَيَّرَهَا رَسُولُ اللهِ ﷺ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَابْنُ مَاجَهْ، وَأُعِلَّ بِالإِرْسَالِ.

842. Narrated Al-Hasan from Samura: The Prophet ﷺ said, "If two guardians have given a woman in marriage, she marries the man she was first married to."[3] [Reported by Ahmad and *Al-Arba'a*. At Tirmidhi graded it ***Hasan*** (good)].

(٨٤٢) وَعَنِ الحَسَنِ، عَنْ سَمُرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «أَيُّمَا امْرَأَةٍ زَوَّجَهَا وَلِيَّانِ فَهِيَ لِلأَوَّلِ مِنْهُمَا». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَحَسَّنَهُ التِّرْمِذِيُّ.

843. Narrated Jābir: Allāh's Messenger ﷺ said, "Any slave[4] who marries without the permission of his

(٨٤٣) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قال رَسُولُ اللهِ ﷺ «أَيُّمَا عَبْدٍ تَزَوَّجَ بِغَيْرِ إِذْنِ

[1] It means that regarding marriage, a woman cannot be a guardian. She cannot marry herself of her own and she cannot permit the marriage of another woman. She is also not allowed to become attorney concerning marriage.

[2] It means that without the consent of woman, virgin or *Aiyim*, she cannot be married. If she is married without her consent, she has the right to cancel it or confirm it, even if her father or brother arranged this marriage.

[3] It means that if two guardians marry a woman to two different men, the first marriage is lawful and the second is unlawful. If the two marriages take place at the same time, then both are unlawful. And there is no difference of opinion in it.

[4] It means that for the marriage of a slave the permission of his master is essential. Without the permission of master, marriage is not accomplished. If the slave is unaware of the fact

masters or owners is (like) a fornicator." [Reported by Ahmad, Abū Dā'ud, An-Nasa'i and At-Tirmidhi; the later graded it *Sahih* (authentic), as did Ibn Hibbān].

مَوَالِيهِ وَأَهْلِهِ فَهُوَ عَاهِرٌ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ، وَكَذٰلِكَ ابْنُ حِبَّانَ.

844. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "A man must not join together (in marriage to him) a woman and her paternal aunt, or a woman and her maternal aunt." [Agreed upon].

(٨٤٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا يُجْمَعُ بَيْنَ الْمَرْأَةِ وَعَمَّتِهَا، وَلَا بَيْنَ الْمَرْأَةِ وَخَالَتِهَا». مُتَّفَقٌ عَلَيْهِ.

845. Narrated 'Uthmān ﷺ: Allāh's Messenger ﷺ said, "One who is in *Ibrām*[1] may not marry, or be given in marriage." [Reported by Muslim]. In another narration by him it says: "He should not ask someone's hand in marriage." Ibn Hibbān added: "nor give someone in engagement (to be married)."

(٨٤٥) وَعَنْ عُثْمَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَنْكِحُ الْمُحْرِمُ، وَلَا يُنْكِحُ». رَوَاهُ مُسْلِمٌ. وَفِي رِوَايَةٍ لَهُ: «وَلَا يَخْطُبُ». زَادَ ابْنُ حِبَّانَ: «وَلَا يُخْطَبُ عَلَيْهِ».

846. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ married Maimūna (ﷺ) when he was in the state of *Ibrām* (during pilgrimage). [Agreed upon]. Muslim reported from Maimūna (ﷺ) herself: "The Prophet ﷺ married her when he was not in the state of *Ibrām*."

(٨٤٦) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: تَزَوَّجَ النَّبِيُّ ﷺ مَيْمُونَةَ وَهُوَ مُحْرِمٌ مُتَّفَقٌ عَلَيْهِ. وَلِمُسْلِمٍ عَنْ مَيْمُونَةَ نَفْسِهَا: أَنَّ النَّبِيَّ ﷺ تَزَوَّجَهَا وَهُوَ حَلَالٌ.

847. Narrated 'Uqba bin 'Aamir ﷺ: Allāh's Messenger ﷺ said, "The most worthy conditions to be fulfilled[2] are those by which you make sexual intercourse lawful for yourselves (in marriage)." [Agreed upon].

(٨٤٧) وَعَنْ عُقْبَةَ بْنِ عَامِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ أَحَقَّ الشُّرُوطِ أَنْ يُوَفَّى بِهِ، مَا اسْتَحْلَلْتُمْ بِهِ الْفُرُوجَ». مُتَّفَقٌ عَلَيْهِ.

848. Narrated Salama bin Al-Akwa' ﷺ: In the year of Autās, Allāh's Messenger ﷺ permitted *Mut'a* (temporary

(٨٤٨) وَعَنْ سَلَمَةَ بْنِ الأَكْوَعِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: رَخَّصَ رَسُولُ اللهِ ﷺ عَامَ

---

that the permission of master is essential, and he performs the sexual intercourse, then he will not be punished for it, but if he knows it, he will be punished.

[1] While in the state of *Ibrām*, taking part in engagement to marry or marriage of one's ownself or of someone else, is not permitted, according to most scholars. As regards the next *Hadīth* reported by Ibn 'Abbās رضي الله عنهما, its chain of narrators is correct, but he was mistaken that the Prophet ﷺ married Maimuna ﷺ while he was in *Ibrām*. Maimuna herself has contradicted this in the *Hadīth* coming after it.

[2] It means that the payment of a dowry is essential.

marriage)[1] for three nights, then he prohibited it (afterwards). [Reported by Muslim].

أَوْطَاسٍ فِي الْمُتْعَةِ ثَلَاثَةَ أَيَّامٍ، ثُمَّ نَهَى عَنْهَا. رَوَاهُ مُسْلِمٌ.

849. Narrated 'Ali ﷺ: Allāh's Messenger ﷺ forbade *Mut'a* (temporary marriage) in the year of Khaibar. [Agreed upon].

(٨٤٩) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنِ الْمُتْعَةِ عَامَ خَيْبَرَ. مُتَّفَقٌ عَلَيْهِ.

850. Narrated ('Ali) ﷺ: On the Day (Battle) of Khaibar, the Prophet ﷺ forbade the temporary marriage (i.e. *Mut'a*) of women, and eating the flesh of domestic donkeys. [*As-Sab'a* except Abū Dā'ud reported it].

(٨٥٠) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ مُتْعَةِ النِّسَاءِ، وَعَنْ أَكْلِ الْحُمُرِ الأَهْلِيَّةِ يَوْمَ خَيْبَرَ. أَخْرَجَهُ السَّبْعَةُ إِلَّا أَبَا دَاوُدَ.

851. Narrated Rabī' bin Sabra[2] on the authority of his father: Allāh's Messenger ﷺ said, "I had permitted to you the temporary marriage of women, but Allāh has (now) prohibited you from that till the Day of Resurrection. So, if anyone has any of these woman (in temporary marriage), he should let her go; and do not take back anything of what you have given them." [Reported by Muslim, Abū Dā'ud, An-Nasā'i, Ibn Mājah, Ahmad and Ibn Hibbān].

(٨٥١) وَعَنْ رَبِيعِ بْنِ سَبْرَةَ، عَنْ أَبِيهِ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِنِّي كُنْتُ أَذِنْتُ لَكُمْ فِي الاسْتِمْتَاعِ مِنَ النِّسَاءِ، وَإِنَّ اللَّهَ قَدْ حَرَّمَ ذَلِكَ إِلَى يَوْمِ الْقِيَامَةِ، فَمَنْ كَانَ عِنْدَهُ مِنْهُنَّ شَيْءٌ فَلْيُخَلِّ سَبِيلَهَا، وَلَا تَأْخُذُوا مِمَّا آتَيْتُمُوهُنَّ شَيْئاً». أَخْرَجَهُ مُسْلِمٌ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ وَابْنُ مَاجَهْ وَأَحْمَدُ وَابْنُ حِبَّانَ.

852. Narrated Ibn Mas'ūd ﷺ: Allāh's Messenger ﷺ cursed the man who made a woman lawful for her first husband and the one for whom she was made lawful (the men involved in *Halāla*).'[3] [Reported by Ahmad, An-Nasā'i and At-Tirmidhi; the latter declared it to be *Sahih* (authentic)]. *Al-Arba'a* except An-Nasā'i reported

(٨٥٢) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَعَنَ رَسُولُ اللهِ ﷺ الْمُحَلِّلَ وَالْمُحَلَّلَ لَهُ. رَوَاهُ أَحْمَدُ وَالنَّسَائِيُّ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ، وَفِي الْبَابِ عَنْ عَلِيٍّ، أَخْرَجَهُ الأَرْبَعَةُ إِلَّا النَّسَائِيَّ.

[1] *Mut'a* (المتعة) is a marriage for a stipulated period only. This form of marriage was customary among the Arabs in the past. Islam at times put restrictions on it and at times permitted it under specific conditions, and at last it was declared unlawful forever at *Hajjatul-Wada'* (Farewell *Hajj* of the Prophet ﷺ).

[2] Rabi' bin Sabra bin Ma'bad Al-Juhani Al-Madani was verified to be reliable by An-Nasā'i and Al-'Ajli.

[3] *Halāla* (حلالة) means to marry a divorced woman temporarily, with the intention of making her remarriage to her former husband lawful. This act is unlawful. Marriage based on intended divorce is unlawful, whether its period is prescribed or not.

something related to this matter, on the authority of 'Ali ﷺ.

853. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "A man guilty of fornication, who has been flogged (for it), should not marry any but a woman like him (similarly guilty)."[1] [Reported by Ahmad and Abū Dā'ud, and its narrators are reliable (*thiqab*)].

(٨٥٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَنْكِحُ الزَّانِي المَجْلُودُ إِلَّا مِثْلَهُ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَرِجَالُهُ ثِقَاتٌ.

854. Narrated 'Aisha ﷺ: A man divorced his wife by three pronouncements and another man married her and divorced her before cohabiting with her. Then, her first husband intended to remarry her and asked Allāh's Messenger ﷺ about that. He said, "No, until the other one (second husband) has enjoyed sexual intercourse [2] with her as the first (husband) had." [Agreed upon; the wording is Muslim's].

(٨٥٤) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: طَلَّقَ رَجُلٌ امْرَأَتَهُ ثَلَاثاً، فَتَزَوَّجَهَا رَجُلٌ، ثُمَّ طَلَّقَهَا قَبْلَ أَنْ يَدْخُلَ بِهَا. فَأَرَادَ زَوْجُهَا الأَوَّلُ أَنْ يَتَزَوَّجَهَا، فَسَأَلَ رَسُولَ اللهِ ﷺ عَنْ ذٰلِكَ، فَقَالَ: «لَا حَتَّى يَذُوقَ الآخَرُ مِنْ عُسَيْلَتِهَا مَا ذَاقَ الأَوَّلُ». مُتَّفَقٌ عَلَيْهِ. وَاللَّفْظُ لِمُسْلِمٍ.

Chapter 1
EQUALITY IN MARRIAGE[3] AND RIGHT OF CHOICE

١ - بَابُ الكَفَاءَةِ وَالخِيَارِ

855. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "The Arabs are equal to one another and the *Mawāli*[4] are equal to one another;[5] except a weaver or a cupper." [Reported by Al-Hākim, but there is a nameless narrator

(٨٥٥) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «العَرَبُ بَعْضُهُمْ أَكْفَاءُ بَعْضٍ، وَالمَوَالِي بَعْضُهُمْ أَكْفَاءُ بَعْضٍ، إِلَّا حَائِكاً أَوْ حَجَّاماً». رَوَاهُ الحَاكِمُ، وَفِي

[1] It means that a pious man should not marry a woman guilty of adultery or fornication, and a pious woman should not marry a man guilty of adultery or fornication.

[2] It means that an irrevocably [three times] divorced woman, if remarried to another man, and after having sexual relations with him is divorced again, or her husband dies, then she is allowed to marry her first husband. However, if she has not had sexual relations with the second husband, she is not allowed to marry her first husband.

[3] In Arabic *Kufu'* (كفؤ) means to be similar or resembling or peer. Similarity or equality in four things – religion, lineage, profession and freedom is regarded reliable. Among these four, religion is agreed upon. The others are disputed. To marry other than *Kufu*, is not prohibited but it is better to marry in *Kufu'* for many reasons.

[4] Non-Arabs, and originally former slaves.

[5] It means that the *Shari'a* has kept the profession in view merely to make the social life easy. Otherwise, it has no consideration for marriage purposes. Fatima bint Qais Qurashiyah was asked to marry Usāma (son of freed slave). It means that lineage has no special prestige in Islam.

in its chain of narrators; Abū Hātim graded it *Munkar* (rejected). It has a supporting narration reported by Al-Bazzār from Mu'ādh bin Jabal with a *Munqati'* (broken) chain].

إِسْنَادِهِ رَاوٍ لَمْ يُسَمَّ، وَاسْتَنْكَرَهُ أَبُو حَاتِمٍ، وَلَهُ شَاهِدٌ عِنْدَ الْبَزَّارِ عَنْ مُعَاذِ بْنِ جَبَلٍ بِسَنَدٍ مُنْقَطِعٍ.

856. Narrated Fatima ﵂, daughter of Qais: The Prophet ﷺ told her, "Marry Usāma."[1] [Reported by Muslim].

(٨٥٦) وَعَنْ فَاطِمَةَ بِنْتِ قَيْسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ قَالَ لَهَا: «انْكِحِي أُسَامَةَ». رَوَاهُ مُسْلِمٌ.

857. Narrated Abū Huraira ﵁: The Prophet ﷺ said, "O sons of Bayada', marry to Abu Hind[2] (someone of your women) and marry from his women (i.e. his daughters)," (even though) he was a cupper. [Abū Dā'ud and Al-Hākim reported it with a *Hasan* (good) chain of narrators].

(٨٥٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «يَا بَنِي بَيَاضَةَ أَنْكِحُوا أَبَا هِنْدٍ وَانْكِحُوا إِلَيْهِ، وَكَانَ حَجَّاماً». رَوَاهُ أَبُو دَاوُدَ وَالحَاكِمُ بِسَنَدٍ جَيِّدٍ.

858. Narrated 'Aisha ﵂: Barira was given her choice regarding her husband [to remain with him or separate] when she was freed. [Agreed upon; it is a part of a long *Hadīth*].

(٨٥٨) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: خُيِّرَتْ بَرِيرَةُ عَلَى زَوْجِهَا حِينَ عَتَقَتْ. مُتَّفَقٌ عَلَيْهِ فِي حَدِيثٍ طَوِيلٍ.

Muslim has from 'Aisha ﵂: "Her husband was a slave." Another narration from her has: "He was a free man." The first (narration) is more well established. It has been authentically reported from Ibn 'Abbās ﵄ by Al-Bukhāri: "...that he was a slave."

وَلِمُسْلِمٍ عَنْهَا: (أَنَّ زَوْجَهَا كَانَ عبداً)، وَفِي رِوَايَةٍ عَنْهَا: (كَانَ حُرًّا)، وَالأَوَّلُ أَثْبَتُ، وَصَحَّ عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما عِنْدَ الْبُخَارِيِّ: (أَنَّهُ كَانَ عَبْداً).

859. Narrated Ad-Dahhāk[3] bin Fairūz Ad-Dailami on the authority of his father[4] ﵁: I said, "O Allāh's Messenger,

(٨٥٩) وَعَنِ الضَّحَّاكِ بْنِ فَيْرُوزَ الدَّيْلَمِيِّ، عَنْ أَبِيهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قُلْتُ: يَا

[1] Usamah's father was a former slave.

[2] His name was Yasār or Sālim bin Abū Sālim or 'Abdullāh bin Hind, and he used to cup the Prophet ﷺ. He was a slave of Banu Bayada'. Ibn 'Abbās, Abū Huraira, Jābir and Khālid narrated *Ahadīth* from him.

[3] Ad-Dahhāk bin Fairuz Ad-Dailami – Ad-Dailam being a famous mountain in Persia – was a renowned *Tābi'i* whose reliability has been verified by Ibn Hibbān. He narrated *Ahadīth* from his father, and his *Ahadīth* have been mastered by the people of Basra.

[4] He is Abū 'Abdullāh Fairuz Ad-Dailami or Al-Himyari – for selling at Himyar – was a Persian from San'ā and among those who visited the Prophet ﷺ. He fought Al-'Ansi 'the impostor' who claimed prophethood in Yemen, whom he managed to kill towards the last days of the life of Allāh's Messenger ﷺ who received the news during the illness in which he died. Fairuz died during the caliphate of 'Uthmān.

I have accepted Islam and I am married to two sisters." Allāh's Messenger ﷺ then said, "Divorce whichever of them you wish."[1] [Reported by Ahmad and *Al-Arba'a*, except An-Nasā'i. Ibn Hibbān, Ad-Daraqutni and Al-Baihaqi graded it *Sahih* (authentic) but Al-Bukhāri considered it defective].

رَسُولَ اللهِ! إِنِّي أَسْلَمْتُ، وَتَحْتِي أُخْتَانِ، فَقَالَ رَسُولُ اللهِ ﷺ: «طَلِّقْ أَيَّتَهُمَا شِئْتَ». رَوَاهُ أَحْمَدُ والأَرْبَعَةُ إِلَّا النَّسَائِيَّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالدَّارَقُطْنِيُّ وَالبَيْهَقِيُّ، وَأَعَلَّهُ البُخَارِيُّ.

860. Narrated Sālim on the authority of his father: Ghailān bin Salama[2] accepted Islam and he had ten wives who accepted Islam along with him. So, the Prophet ﷺ commanded him to, "Choose four of them."[3] [Reported by Ahmad and At-Tirmidhi. Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic); but Al-Bukhāri, Abū Zur'a and Abū Hātim considered it defective].

(٨٦٠) وَعَنْ سَالِمٍ، عَنْ أَبِيهِ، أَنَّ غَيْلَانَ بْنَ سَلَمَةَ أَسْلَمَ، وَلَهُ عَشْرُ نِسْوَةٍ، فَأَسْلَمْنَ مَعَهُ، فَأَمَرَهُ النَّبِيُّ ﷺ أَنْ يَتَخَيَّرَ مِنْهُنَّ أَرْبَعاً. رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ، وَأَعَلَّهُ البُخَارِيُّ وَأَبُو زُرْعَةَ وَأَبُو حَاتِمٍ.

861. Narrated Ibn 'Abbās رضي الله عنه: The Prophet ﷺ returned his daughter Zainab (رضي الله عنها) to [her husband] Abul-'Aas bin Ar-Rabi' (رضي الله عنه) based upon the first marriage, after six years [of separation],[4] and he did not perform a new marriage. [Reported by Ahmad and *Al-Arba'a* except An-Nasā'i. Ahmad and Al-Hākim graded it *Sahih* (authentic)].

(٨٦١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: رَدَّ النَّبِيُّ ﷺ ابْنَتَهُ زَيْنَبَ عَلَى أَبِي العَاصِ بْنِ الرَّبِيعِ بَعْدَ سِتِّ سِنِينَ بِالنِّكَاحِ الأَوَّلِ، وَلَمْ يُحْدِثْ نِكَاحاً. رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ إِلَّا النَّسَائِيَّ، وَصَحَّحَهُ أَحْمَدُ وَالحَاكِمُ.

[1] This *Hadīth* makes clear two things: One is that, if two real sisters are married to one man, he must divorce one of them; and second that, the marriages performed before Islam are accepted by Islam though they were not in accordance with Islamic way. In any case, a woman cannot be free from this marriage without divorce. This *Hadīth* also clarifies that if a married couple accepts Islam, they have no need to marry again, since their first marriage is considered legal in Islam.

[2] Ghailān bin Salama Ath-Thaqafi was one of the elders of Thaqif. He became a Muslim after the conquest of Tā'if and did not migrate to Al-Madīnah. He was a poet with a nice voice. He died during 'Umar's Caliphate.

[3] Having more than four wives in marriage at one time is unlawful and there is no difference of opinion in this regard. Having nine wives by the Prophet ﷺ at one time was exclusively for him.

[4] If the woman accepts Islam and her husband remains infidel, according to most of the scholars, their marriage is cancelled and after the completion of *'Iddah* (period during which a widow or a divorcee may not remarry) she will be deemed free from the bond of marriage. The story of Zainab رضي الله عنها has many explanations, and actually marriage is not cancelled in such a case, but marrying afresh is better.

862. Narrated 'Amr bin Shu'aib on his father's authority from his grandfather: The Prophet ﷺ returned his daughter Zainab[1] (ﷺ) to [her husband] Abūl-'Aas[2] (ﷺ) by a new marriage. [At-Tirmidhi said, "The *Hadīth* of Ibn 'Abbās (ﷺ) is better than 'Amr's *Hadīth* in consideration of the chains of narrators. However, that which is being observed in practice is 'Amr bin Shu'aib's *Hadīth*"].

(٨٦٢) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ أَنَّ النَّبِيَّ ﷺ رَدَّ ابْنَتَهُ زَيْنَبَ عَلَى أَبِي العَاصِ بِنِكَاحٍ جَدِيدٍ. قَالَ التِّرْمِذِيُّ: حَدِيثُ ابْنِ عَبَّاسٍ أَجْوَدُ إِسْنَاداً، وَالعَمَلُ عَلَى حَدِيثِ عَمْرِو بْنِ شُعَيْبٍ.

863. Narrated Ibn 'Abbās ﷺ: A woman had accepted Islam and then re-married, so her (previous) husband came and said, "O Allāh's Messenger, I had accepted Islam and she knew that I had done so." So Allāh's Messenger ﷺ took her away from her second husband and returned her to her first one.[3] [Reported by Ahmad, Abū Dā'ud and Ibn Mājah. Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

(٨٦٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أَسْلَمَتِ امْرَأَةٌ، فَتَزَوَّجَتْ، فَجَاءَ زَوْجُهَا، فَقَالَ: يَا رَسُولَ اللهِ! إِنِّي كُنْتُ أَسْلَمْتُ، وَعَلِمَتْ بِإِسْلَامِي، فَانْتَزَعَهَا رَسُولُ اللهِ ﷺ مِنْ زَوْجِهَا الآخَرِ، وَرَدَّهَا إِلَى زَوْجِهَا الأَوَّلِ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

864. Narrated Zaid bin Ka'b bin 'Ujra[4] ﷺ on his father's authority: 'Allāh's Messenger ﷺ married Al-'Aaliya[5] of Banu Ghifār. When she

(٨٦٤) وَعَنْ زَيْدِ بْنِ كَعْبِ بْنِ عُجْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنْ أَبِيهِ، قَالَ: تَزَوَّجَ رَسُولُ اللهِ ﷺ العَالِيَةَ مِنْ بَنِي غِفَارٍ، فَلَمَّا دَخَلَتْ

[1] She was the eldest of Allāh's Messenger's daughters, and her mother was *Ummul-Mu'minin* Khadija Al-Kubra ﷺ. She was married to her maternal aunt's son Abul 'Aas bin Ar-Rabi' and she bore him 'Ali, but he died as a grown-up child. Abūl 'Aas rode on the back seat of the Prophet's camel on the day of *Al-Fath*. Zainab also bore Umama to Abūl 'Aas. She migrated after the battle of Badr and died in 8 H. The Prophet ﷺ entered her grave in the process of burying her.

[2] He is called Miqsam bin Ar-Rabi' bin 'Abdul-'Uzza. It is also said that he was called Laqit. He was the son-in-law of the Prophet ﷺ and the husband of his daughter Zainab. He was captured during the battle of Badr as a *Kafir*, but was set free without ransom on condition that he bring Zainab to Al-Madīnah and he did so. He later migrated to Al-Madīnah himself and took the Prophet ﷺ as his Muslim brother and his confidant. He was martyred during the battle of Yamama.

[3] It means that if the separation is due to the difference of religion, and during *'Iddah* the man also accepts Islam, and the woman comes to know, then she cannot marry another person. If she marries unknowingly, her marriage will be cancelled, but her having had sexual relations during this period will not be a punishable act according to *Shari'a*.

[4] It is said that he was from Banu Sālim bin 'Auf or Banu Sālim bin Bali and was an ally of Al-Khazraj. Adh-Dhahabi mentioned in *Talkhis Al-Mustadrak* that Ibn Ma'in said, "He is not reliable", but Ibn Ma'in actually said that regarding Jamil bin Zaid.

[5] It was said that she was from Banu Bakr bin Kilāb and she is Al-'Aaliya bint Zubyān. It was also said that this Al-'Aaliya was not from Banu Kilāb. Some reporters said that he kept her

had entered in his presence and removed her clothes, he saw whiteness (of leprosy) around her waist area [1] and the Prophet ﷺ said, "Put on your clothes and return to your family." He ordered her dowry to be given to her. [Reported by Al-Hākim]. In its chain of narrators, is Jamil bin Zaid[2] , who is *Majhūl* (an unaccredited narrator). There is also a great difference of opinion as to who was his *Shaykh*.

عَلَيْهِ، وَوَضَعَتْ ثِيَابَهَا، رَأَى بِكَشْحِهَا بَيَاضاً، فَقَالَ النَّبِيُّ ﷺ: «الْبَسِي ثِيَابَكِ، وَالْحَقِي بِأَهْلِكِ» وَأَمَرَ لَهَا بِالصَّدَاقِ. رَوَاهُ الحَاكِمُ، وَفِي إِسْنَادِهِ جَمِيلُ بْنُ يَزِيدَ، وَهُوَ مَجْهُولٌ، وَاخْتُلِفَ عَلَيْهِ فِي شَيْخِهِ اخْتِلافاً كَثِيراً.

865. Narrated Sa'īd bin Al-Musaiyab: 'Umar bin Al-Khattāb ﷺ said, "If any man marries a woman and after sleeping with her finds that she is affected with leprosy or insane, she gets her dowry (if he divorces her) for having intercourse with her, and it is returned to him from the one who has deceived him[3] with her." [Sa'īd bin Mansūr, Mālik and Ibn Abū Shaiba reported it. Its narrators are reliable (*thiqah*)].

(٨٦٥) وَعَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، أَنَّ عُمَرَ بْنَ الخَطَّابِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَيُّمَا رَجُلٍ تَزَوَّجَ امْرَأَةً، فَدَخَلَ بِهَا، فَوَجَدَهَا بَرْصَاءَ، أَوْ مَجْنُونَةً، أَوْ مَجْذُومَةً، فَلَهَا الصَّدَاقُ بِمَسِيسِهِ إِيَّاهَا، وَهُوَ لَهُ عَلَى مَنْ غَرَّهُ مِنْهَا. أَخْرَجَهُ سَعِيدُ بْنُ مَنْصُورٍ وَمَالِكٌ وَابْنُ أَبِي شَيْبَةَ. وَرِجَالُهُ ثِقَاتٌ.

Sa'īd (bin Mansur) also reported something similar from 'Ali (ﷺ) and added: "And (if) she has something like a horn (*Qarn*) (coming out of her vagina), her husband then has the right to divorce her or keep her. And if he had intercourse with her, she gets her dowry for the intercourse her husband has had."

وَرَوَى سَعِيدٌ أَيْضاً عَنْ عَلِيٍّ نَحْوَهُ، وَزَادَ: «وَبِهَا قَرْنٌ، فَزَوْجُهَا بِالخِيَارِ، فَإِنْ مَسَّهَا فَلَهَا المَهْرُ بِمَا اسْتَحَلَّ مِنْ فَرْجِهَا».

866. Narrated Sa'īd bin Al-Musaiyab this *Hadīth* also: 'Umar ﷺ gave a decree regarding a husband who is impotent that he must be given delay for one year.[4] [Its narrators are reliable].

(٨٦٦) وَمِنْ طَرِيقِ سَعِيدِ بْنِ الْمُسَيَّبِ أَيْضاً قَالَ: قَضَى بِهِ عُمَرُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ فِي العِنِّينِ أَنْ يُؤَجَّلَ سَنَةً. وَرِجَالُهُ ثِقَاتٌ.

for some time and then divorced her.

[1] It means that if the guardians of a woman, by cheating, marry a physically deformed, permanently sick, insane or woman afflicted with leprosy etc., the marriage is cancelled due to their fraud. Similarly, if a woman is married by cheating to a defective or an abnormal man, she has the right to end it. If both man and woman agree, the marriage is valid.

[2] He was from the Tā'i tribe and Ibn Ma'in and An-Nasā'i said, "He is not reliable." Al-Bukhāri also said, "His *Hadīth* is not authentic." The *Imāms* of *Hadīth* verified him as weak.

[3] It means that if man does not want to keep such a woman, the dowry is an unjust burden on him.

[4] It means that according to *Shari'a*, an impotent man is he who lacks sufficient strength to insert his penis into the vagina. If he inserts it even one time, he will not be regarded impotent.

Chapter 2 THE RELATIONS WITH THE WIVES

٢ - بَابُ عِشْرَةِ النِّسَاءِ

867. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "He who has intercourse with a woman through her anus is accursed."[1] [Abū Dā'ud and An-Nasā'i reported it and the wording is his (An-Nasā'i). Its narrators are reliable, but it was considered to be defective for being *Mursal* (a missing link after the *Tābi'i*)].

(٨٦٧) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَلْعُونٌ مَنْ أَتَى امْرَأَةً فِي دُبُرِهَا». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَاللَّفْظُ لَهُ، وَرِجَالُهُ ثِقَاتٌ، لٰكِن أُعِلَّ بِالإِرْسَالِ.

868. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "Allāh will not look at a man who has intercourse with a man or a woman through the anus." [Reported by At-Tirmidhi, An-Nasā'i and Ibn Hibbān, but it was considered to be defective for being *Mawqūf* (saying of a Companion, i.e. Ibn 'Abbas)].

(٨٦٨) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ يَنْظُرُ اللَّهُ إِلَى رَجُلٍ أَتَى رَجُلاً، أَوِ امْرَأَةً فِي دُبُرِهَا». رَوَاهُ التِّرْمِذِيُّ وَالنَّسَائِيُّ وَابْنُ حِبَّانَ، وَأُعِلَّ بِالوَقْفِ.

869. Narrated Abū Huraira ﷺ: The Prophet ﷺ said, "He who believes in Allāh and the last Day should not harm his neighbor;[2] and take my advice regarding good treatment of women, for they were created from a rib. And indeed the most crooked part of the rib is its upper part. If you attempt to straighten it, you will break it,[3] and if you leave it alone it will remain crooked. So, take my advice regarding good treatment of women." [Agreed upon; the wording is Al-Bukhāri's]. Muslim has: "So if you enjoy her you will do so while crookedness remains

(٨٦٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ فَلَا يُؤْذِ جَارَهُ، وَاسْتَوْصُوا بِالنِّسَاءِ خَيْرًا، فَإِنَّهُنَّ خُلِقْنَ مِنْ ضِلَعٍ، وَإِنَّ أَعْوَجَ شَيْءٍ مِنَ الضِّلَعِ أَعْلاَهُ، فَإِنْ ذَهَبْتَ تُقِيمُهُ كَسَرْتَهُ، وَإِنْ تَرَكْتَهُ لَمْ يَزَلْ أَعْوَجَ، فَاسْتَوْصُوا بِالنِّسَاءِ خَيْرًا». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ. وَلِمُسْلِمٍ: «فَإِنِ اسْتَمْتَعْتَ بِهَا اسْتَمْتَعْتَ بِهَا وَبِهَا عِوَجٌ، وَإِنْ ذَهَبْتَ تُقِيمُهَا كَسَرْتَهَا، وَكَسْرُهَا طَلاَقُهَا».

[1] All the religious scholars are of the opinion that anal sexual intercourse with woman is unlawful.

[2] Harming or hurting a Muslim is absolutely unlawful, and harming the neighbor is a major sin.

[3] This *Hadīth* teaches that women should be treated with kindness. The woman's temperament is different than man's, by nature. There are many reasons for its crookedness and it is very difficult to tackle her. The woman is like a rib, and a healthy rib is crooked by nature. Therefore, one should not try to straighten the rib otherwise it will break and cause pain. The nature of the woman can not be changed.

in her; but if you attempt to straighten her you will break her, and breaking her is divorcing her."

870. Narrated Jābir ﷺ: We were with the Prophet ﷺ on an expedition. Then, when we arrived at Al-Madīnah and were about to enter he said, "Wait[1] so that you may enter by night – i.e. in the evening in order that the woman with disheveled hair may comb it and the woman whose husband has been away may shave her pubic hairs (getting ready for her husband)." [Agreed upon].

(٨٧٠) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا مَعَ النَّبِيِّ ﷺ فِي غَزَاةٍ، فَلَمَّا قَدِمْنَا المَدِينَةَ، ذَهَبْنَا لِنَدْخُلَ، فَقَالَ ﷺ: «أَمْهِلُوا حَتَّى تَدْخُلُوا لَيْلاً، يَعْنِي عِشَاءً، لِكَيْ تَمْتَشِطَ الشَّعِثَةُ، وَتَسْتَحِدَّ المُغِيبَةُ». مُتَّفَقٌ عَلَيْهِ.

A narration by Al-Bukhāri has: "When one of you has been away from home for a long time, he must not come to his family during the night."

وَفِي رِوَايَةٍ لِلْبُخَارِيِّ: «إِذَا أَطَالَ أَحَدُكُمُ الغَيْبَةَ، فَلَا يَطْرُقْ أَهْلَهُ لَيْلاً».

871. Narrated Abū Sa'īd Al-Khudri ﷺ: Allāh's Messenger ﷺ said, "The worst of people in position before Allāh on the Day of Resurrection is the man who has intercourse with his wife, and she with him, and then spreads her secrets."[2] [Reported by Muslim].

(٨٧١) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ شَرَّ النَّاسِ عِنْدَ اللهِ مَنْزِلَةً يَوْمَ القِيَامَةِ الرَّجُلُ يُفْضِي إِلَى امْرَأَتِهِ، وَتُفْضِي إِلَيْهِ، ثُمَّ يَنْشُرُ سِرَّهَا». أَخْرَجَهُ مُسْلِمٌ.

872. Narrated Hākim bin Mu'āwiya on the authority of his father (ﷺ): I asked, "O Messenger of Allāh, what are the rights of a wife of one of us on her husband?" He replied, "You should give her food when you eat, clothe her when you clothe yourself, not strike her on the face, and do not revile her or desert her except within the house." [Reported by Ahmad, Abū Dā'ud, An-Nasā'i and Ibn Mājah. Al-Bukhāri mentioned part of it [the last sentence]

(٨٧٢) وَعَنْ حَكِيمِ بْنِ مُعَاوِيَةَ، عَنْ أَبِيهِ قَالَ: قُلْتُ: يَا رَسُولَ اللهِ! مَا حَقُّ زَوْجِ أَحَدِنَا عَلَيْهِ؟ قَالَ: «تُطْعِمُهَا إِذَا أَكَلْتَ، وَتَكْسُوهَا إِذَا اكْتَسَيْتَ، وَلَا تَضْرِبِ الوَجْهَ، وَلَا تُقَبِّحْ، وَلَا تَهْجُرْ إِلَّا فِي البَيْتِ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ وَابْنُ مَاجَهْ، وَعَلَّقَ البُخَارِيُّ بَعْضَهُ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

[1] It means that if anyone returns home from a long journey, he should not go directly to his house. It is better to send the information of arrival. There are many reasons for this. In the absence of the husband, a woman may not attend to her appearance, or give attention to certain personal matters like shaving the hair from the private areas of the body. This untidiness may disturb the husband and may be a cause of his disliking her, etc.

[2] It means that describing to others what has taken place between husband and wife regarding their private marital relations is a major sin.

as *Mu'allaq* (a broken chain from the side of the collector, i.e. Al-Bukhari). Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

873. Narrated Jābir bin 'Abdullāh ﷺ: The Jews used to say, "When a man has intercourse with his wife through the vagina, but from her back side, the child will be squint-eyed." Then, the Verse came down: "Your wives are a tilth to you, so come to your tilth however you wish" [Agreed upon; the wording is Muslim's].

(٨٧٣) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَتِ الْيَهُودُ تَقُولُ إِذَا أَتَى الرَّجُلُ امْرَأَتَهُ مِنْ دُبُرِهَا فِي قُبُلِهَا كَانَ الْوَلَدُ أَحْوَلَ، فَنَزَلَتْ ﴿نِسَآؤُكُمْ حَرْثٌ لَّكُمْ فَأْتُوا حَرْثَكُمْ أَنَّى شِئْتُمْ﴾ الآيَةَ. مُتَّفَقٌ عَلَيْهِ. وَاللَّفْظُ لِمُسْلِمٍ.

874. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "If anyone who intends to have intercourse with his wife says, 'In the Name of Allāh. O Allāh, keep us away from the devil and keep the devil away from what You have provided us (of children)', should it be ordained that a child be born to them thereby, Satan will never harm it." [Agreed upon].

(٨٧٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَوْ أَنَّ أَحَدَكُمْ إِذَا أَرَادَ أَنْ يَأْتِيَ أَهْلَهُ قَالَ: بِسْمِ اللهِ، اللَّهُمَّ جَنِّبْنَا الشَّيْطَانَ، وَجَنِّبِ الشَّيْطَانَ مَا رَزَقْتَنَا، فَإِنَّهُ إِنْ يُقَدَّرْ بَيْنَهُمَا وَلَدٌ فِي ذَلِكَ، لَمْ يَضُرَّهُ الشَّيْطَانُ أَبَداً». مُتَّفَقٌ عَلَيْهِ.

875. Narrated Abū Huraira ﷺ: The Prophet ﷺ said, "When a man calls his wife to come to his bed (for marital relations), and she refuses to come, and he spends the night in anger, the angels curse her till the morning." [Agreed upon; the wording is Al-Bukhāri's]. Muslim has: "He Who is in heaven is displeased with her till her husband is pleased with her."

(٨٧٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «إِذَا دَعَا الرَّجُلُ امْرَأَتَهُ إِلَى فِرَاشِهِ، فَأَبَتْ أَنْ تَجِيءَ، فَبَاتَ غَضْبَانَ، لَعَنَتْهَا الْمَلَائِكَةُ حَتَّى تُصْبِحَ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ. وَلِمُسْلِمٍ: «كَانَ الَّذِي فِي السَّمَاءِ سَاخِطاً عَلَيْهَا، حَتَّى يَرْضَى عَنْهَا».

876. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ cursed the woman[1] who joins false hair to her real hair [extensions] and the one who asks for it to be done to her; and the woman who tattoos (others) and the one who has it done (for her). [Agreed upon].

(٨٧٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ لَعَنَ الْوَاصِلَةَ وَالْمُسْتَوْصِلَةَ، وَالْوَاشِمَةَ وَالْمُسْتَوْشِمَةَ. مُتَّفَقٌ عَلَيْهِ.

[1] In this *Hadīth* four types of women have been cursed: Those who use extensions to make their hair look long and those who are involved in this business. Those who tattoo their bodies and those who are tattoo designers. These four types have been cursed. Nowadays the use of artificial hair is very common among the women for beautification.

877. Narrated Judāma[1] ﷺ daughter of Wahb: I was with Allāh's Messenger ﷺ along with some people when he was saying, "I have intended to prohibit *Ghila* (sexual intercourse with a woman who is breast-feeding),[2] but I considered the Romans and the Persians and saw that they engaged in *Ghila* without any injury being caused to their children thereby." Then they asked him about *'Azl*[3] (withdrawing the penis before emission of semen, to avoid conception), and Allāh's Messenger ﷺ replied, "That is the secret (way of) burying alive." [Reported by Muslim].

(٨٧٧) وَعَنْ جُذَامَةَ بِنْتِ وَهْبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: حَضَرْتُ رَسُولَ اللهِ ﷺ فِي أُنَاسٍ، وَهُوَ يَقُولُ: «لَقَدْ هَمَمْتُ أَنْ أَنْهَى عَنِ الغِيلَةِ، فَنَظَرْتُ فِي الرُّومِ وَفَارِسَ، فَإِذَا هُمْ يُغِيلُونَ أَوْلَادَهُمْ، فَلَا يَضُرُّ ذٰلِكَ أَوْلَادَهُمْ شَيْئاً» ثُمَّ سَأَلُوهُ عَنِ العَزْلِ، فَقَالَ رَسُولُ اللهِ ﷺ: «ذٰلِكَ الوَأْدُ الخَفِيُّ». رَوَاهُ مُسْلِمٌ.

878. Narrated Abū Sa'īd Al-Khudri ﷺ: A man said, "O Allāh's Messenger, I have a slave-girl and I withdraw the penis while having intercourse with her (*'Azl*). I dislike that she become pregnant, but I want (from her) what a man wants (from a woman). And the Jews say – withdrawing the penis to avoid conception is the minor (form of) burying alive." He replied, "The Jews told a lie, for if Allāh intended to create it you would not be able to turn it away." [Reported by Ahmad and Abū Dā'ud, the wording is Abū Dā'ud's. An-Nasā'i and At-Tahāwi also reported it. Its narrators are reliable].

(٨٧٨) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَجُلاً قَالَ: يَا رَسُولَ اللهِ! إِنَّ لِي جَارِيَةً، وَأَنَا أَعْزِلُ عَنْهَا، وَأَنَا أَكْرَهُ أَنْ تَحْمِلَ، وَأَنَا أُرِيدُ مَا يُرِيدُ الرِّجَالُ، وَإِنَّ اليَهُودَ تَحَدَّثُ أَنَّ العَزْلَ ٱلْمَوْؤُدَةُ الصُّغْرَى، قَالَ: «كَذَبَتِ اليَهُودُ، لَوْ أَرَادَ اللَّهُ أَنْ يَخْلُقَهُ مَا اسْتَطَعْتَ أَنْ تَصْرِفَهُ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَاللَّفْظُ لَهُ، وَالنَّسَائِيُّ وَالطَّحاوِيُّ، وَرِجَالُهُ ثِقَاتٌ.

879. Narrated Jābir ﷺ: In the lifetime of Allāh's Messenger ﷺ when the Qur'ān

(٨٧٩) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ:

[1] She is Judāma, daughter of Wahb – also called Jundal Al-Asadiya, the maternal sister of 'Ukāsha bin Mihsan. She was a *Sahabiya* among the early Muslims and she migrated to Al-Madīnah. She became a Muslim at Makkah and boycotted her people. She was married to Anis bin Qatāda.

[2] In Arabic, it is called *Ghila* (الغيلة) which means to have sexual intercourse with the wife during the period of the child's breast-feeding (before weaning the child). It is also said that *Ghila* means breast feeding a child during a new pregnancy.

[3] *'Azl* (العزل) means coitus interruptus, i.e. withdrawing the penis from the vagina at the time of ejaculation of semen, for the purpose of birth control. As to whether *'Azl* is lawful or unlawful, there are different *Ahādith* concerning this issue. If it is decided that *'Azl* is not unlawful, as the same time it is also not recommended. In case of a woman who is in poor health, *'Azl* may be resorted to, so that she is saved from undue hardship.

was being revealed, we used to engage in *'Azl*. Hence, if it had been something to be forbidden, the Qur'ān would have forbade us from doing it. [Agreed upon].

كُنَّا نَعْزِلُ عَلَى عَهْدِ رَسُولِ اللهِ ﷺ وَالقُرْآنُ يَنْزِلُ، وَلَوْ كَانَ شَيْءٌ يُنْهَى عنْهُ، لَنَهَانَا عَنْهُ القُرْآنُ. مُتَّفَقٌ عَلَيْهِ.

And Muslim has: "That (which we were doing) reached the Prophet ﷺ and he did not forbid us from doing it."

وَلِمُسْلِمٍ: فَبَلَغَ ذٰلِكَ نَبِيَّ اللهِ ﷺ فَلَمْ يَنْهَنَا عَنْهُ.

880. Narrated Anas bin Mālik ﷺ: The Prophet ﷺ used to have intercourse with his wives (one after another), with a single bathing.[1] [Agreed upon. The wording is Muslim's].

(٨٨٠) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ يَطُوفُ عَلَى نِسَائِهِ بِغُسْلٍ وَاحِدٍ. أَخْرَجَاهُ، وَاللَّفْظُ لِمُسْلِمٍ.

Chapter 3
THE BRIDAL GIFT (*MAHR*)

٣ - بَابُ الصَّدَاقِ

881. Narrated Anas ﷺ: The Prophet ﷺ set Safiya[2] ﷺ free, and made her freedom her dowry.[3] [Agreed upon].

(٨٨١) عَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، أَنَّهُ أَعْتَقَ صَفِيَّةَ، وَجَعَلَ عِتْقَهَا صَدَاقَهَا. مُتَّفَقٌ عَلَيْهِ.

882. Narrated Abū Salama bin 'Abdur-Rahmān[4] (ﷺ): I asked 'Aisha ﷺ, "How much had Allāh's Messenger ﷺ given as dowry?"[5] She replied, "His dowry to his wives was twelve *Uqiya* and *Nashsh*. She asked, "Do you know what a *An-Nashsh* is?" I replied, "No." She said, "It is half an *Uqiya*. Hence,

(٨٨٢) وَعَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ، أَنَّهُ قَالَ: سَأَلْتُ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، كَمْ كَانَ صَدَاقُ رَسُولِ اللهِ ﷺ؟ قَالَتْ: كَانَ صَدَاقُهُ لِأَزْوَاجِهِ ثِنْتَي عَشَرَةَ أُوقِيَّةً، وَنَشًّا، قَالَتْ: أَتَدْرِي مَا النَّشُّ؟ قَالَ: قُلْتُ: لَا،

[1] The purpose of mentioning this *Hadīth* here is to show that the division of time for wives (in a plural marriage) was not obligatory for the Prophet ﷺ. If it were compulsory for him, as it is upon others, he would not have gone to all his wives in one night.

[2] She is the 'Mother of the Believers' Safiya bint Huyai bin Akhtab, from the descendants of Prophet Harun . She was married to Kināna bin Abūl-Huqaiq who was killed during the battle of Khaibar. She was captured, then the Prophet ﷺ chose her and she became a Muslim. He then freed her and married her – making her freedom as her dowry. She died in 50 H. and was buried in Al-Baqi'.

[3] It means that non-financial things can also be the dowry; and it also clarifies that a master himself can marry his freed slave-girl, and there is no need of a guardian for this marriage.

[4] He is Abū Salama bin 'Abdur-Rahmān bin 'Auf Az-Zuhri Al-Qurashi, one of the seven most famous *Fiqh* scholars in Al-Madīnah and also among the eminent *Tābi'īn*. He narrated many *Ahadīth* which he heard from a group of the *Sahāba* and also a group of people narrated from him. He died in 74 H. or 104 H. at the age of 70 years.

[5] There is no fixed limit of *Mahr* (dowry) in *Shari'a*, but keeping it to a small amount is preferred, to make marriage easy for the common people.

the total was five hundred Dirhams, and that was Allāh's Messenger's ﷺ dowry to his wives." [Reported by Muslim].

قَالَت: نِصْفُ أُوقِيَّةٍ، فَتِلْكَ خَمْسُمِائَةِ دِرْهَمٍ، فَهَذَا صَدَاقُ رَسُولِ اللهِ ﷺ لِأَزْوَاجِهِ. رَوَاهُ مُسْلِمٌ.

883. Narrated Ibn 'Abbās ﷺ: When 'Ali (ﷺ) married Fatima ﷺ Allāh's Messenger ﷺ said to him, "Give her something (as dowry)." He replied, "I have nothing." He said, "Where is your Hutamiya coat of mail?" [Reported by Abū Dā'ud and An-Nasā'i; Al-Hākim graded it *Sahih* (authentic)].

(٨٨٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: لَمَّا تَزَوَّجَ عَلِيٌّ فَاطِمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَ لَهُ رَسُولُ اللهِ ﷺ: «أَعْطِهَا شَيْئاً» قَالَ: مَا عِنْدِي شَيْءٌ، قَالَ: «فَأَيْنَ دِرْعُكَ الحُطَمِيَّةُ؟» رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ الحَاكِمُ.

884. Narrated 'Amr bin Shu'aib on his father's authority from his grandfather: Allāh's Messenger ﷺ said, "If any woman marries for a dowry, a gift, or a promise before contracting the marriage, it belongs to her.[1] As for whatever is fixed to her after contracting the marriage, it belongs to whomever it has been given. The most worthy gift a man is honored with is what he gets on account of (the marriage of) his daughter or sister." [Reported by Ahmad and *Al-Arba'a* except At-Tirmidhi].

(٨٨٤) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَيُّمَا امْرَأَةٍ نُكِحَتْ عَلَى صَدَاقٍ أَوْ حِبَاءٍ أَوْ عِدَةٍ قَبْلَ عِصْمَةِ النِّكَاحِ، فَهُوَ لَهَا، وَمَا كَانَ بَعْدَ عِصْمَةِ النِّكَاحِ، فَهُوَ لِمَنْ أُعْطِيَهُ، وَأَحَقُّ مَا أُكْرِمَ الرَّجُلُ عَلَيْهِ ابْنَتُهُ أَوْ أُخْتُهُ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ إِلَّا التِّرْمِذِيَّ.

885. Narrated 'Alqama[2] on the authority of Ibn Mas'ūd ﷺ: He was asked about a man who had married a woman and had not fixed a dowry for her. And he did not consummate (the marriage) with her till he died. Ibn Mas'ūd replied, "She should receive a

(٨٨٥) وَعَنْ عَلْقَمَةَ، عَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ سُئِلَ عَنْ رَجُلٍ تَزَوَّجَ امْرَأَةً، وَلَمْ يَفْرِضْ لَهَا صَدَاقاً، وَلَمْ يَدْخُلْ بِهَا، حَتَّى مَاتَ، فَقَالَ ابْنُ مَسْعُودٍ: لَهَا مِثْلُ صَدَاقِ نِسَائِهَا، لَا وَكْسَ، وَلَا شَطَطَ، وَعَلَيْهَا العِدَّةُ،

[1] It means that whatever is decided before the marriage is a *Mahr* (dowry), and it belongs to the woman. Whether it is in form of money, gold, ornaments, clothes, land, a house or anything else, she is the sole owner of that thing. If anything is given to her relatives after the marriage, that will not be considered as part of the dowry, and it will not belong to her. It is a gift for him to whom it is given. Things decided before the marriage as dowry, and delivered later to her relatives, is dowry and she is the owner of all those things.

[2] He is 'Alqama bin Qais Abū Shibil bin Mālik from Banu Bakr bin An-Nakha'. He narrated from 'Umar and Ibn Mas'ūd. He was a great *Tābi'i* and was famous for narrating the *Ahadīth* of Ibn Mas'ūd and for accompanying him. He was the uncle of Al-Aswad An-Nakha'i. He died in the year 61 H.

وَلَها المِيرَاثُ، فَقَامَ مَعْقِلُ بْنُ سِنَانٍ الأَشْجَعِيُّ، فَقَالَ: قَضَى رَسُولُ اللهِ ﷺ فِي بِرْوَعَ بِنْتِ وَاشِقٍ امْرَأَةٍ مِنَّا مِثْلَ مَا قَضَيْتَ، فَفَرِحَ بِهَا ابْنُ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ. رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ، وَحَسَّنَهُ جَمَاعَةٌ.

dowry similar to what the women of her community receive without decrease or increase.[1] She must observe the *'Iddah* period (of waiting before re-marrying) and is entitled to a share of the inheritance." Ma'qil bin Sinān Al-Ashja'ī[2] then got up and said, "Allāh's Messenger ﷺ ruled the same as your ruling regarding Birwa', daughter of Wāshiq[3], a woman of our tribe." Ibn Mas'ūd was delighted with it. [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi graded it *Sahih* (authentic), while a group (of *Hadīth* scholars) graded it *Hasan* (good)].

(٨٨٦) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ أَعْطَى فِي صَدَاقِ امْرَأَةٍ سَوِيقاً أَوْ تَمْراً فَقَدِ اسْتَحَلَّ». أَخْرَجَهُ أَبُو دَاوُدَ، وَأَشَارَ إِلَى تَرْجِيحِ وَقْفِهِ.

886. Narrated Jābir bin 'Abdullāh ﷺ: The Prophet ﷺ said, "If anyone gives as a dowry to a woman some flour or dates, he has made her lawful for himself." [Abū Dā'ud reported it, and indicated that the stronger opinion is that it is *Mawqūf* (saying of a Companion)].

(٨٨٧) وَعَنْ عَبْدِ اللهِ بْنِ عَامِرِ بْنِ رَبِيعَةَ، عَنْ أَبِيهِ، أَنَّ النَّبِيَّ ﷺ أَجَازَ نِكَاحَ امْرَأَةٍ عَلَى نَعْلَيْنِ. أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ، وَخُولِفَ فِي ذٰلِكَ.

887. Narrated 'Abdullāh bin 'Aamir bin Rabi'a[4] on the authority of his father: The Prophet ﷺ gave his approval of the marriage of a woman for two sandals as a dowry.[5] [At-Tirmidhi reported it and graded it *Sahih* (authentic), but he was opposed in that (grading of the

[1] If the dowry is decided before marriage it is well and good, she will have whatever is decided. However, if it is not decided then the dowry will be the same as the dowry of other women of that family. This kind of dowry is called *Mahr Mithl* (peer dowry). If the man divorces a woman before sexual intercourse, then she will get half of the dowry decided before marriage, while if it was not decided before marriage, she will not get anything. In case of death of the man, the woman gets the full dowry whether it be a *Mahr Muqarrar* (fixed dowry) or *Mahr Mithl* (peer dowry). She is also a heir of the property of her late husband.

[2] He is Abū Muhammad Ma'qil bin Sinān Al-Ashja'i. He was a *Sahābi* who attended the conquest of Makkah and settled at Kufa. The people of Kufa narrated his *Ahadīth*, and he was imprisoned and killed on the day of Al-Harra.

[3] Birwa', daughter of Wāshiq was a *Sahābiya.*

[4] He is Abū 'Imrān 'Abdullāh bin 'Aamir bin Rabi'a Al-'Anzi. He was four or five years old when the Prophet ﷺ died and he died in the year 85 H. or 90 H.

[5] It means anything can be a dowry, if it has some value.

Hadith)].

888. Narrated Sahl bin Sa'd ﷺ: The Prophet ﷺ married a man to a woman for a dowry of an iron ring.[1] [Al-Hākim reported it. It is a portion of the long *Hadīth* preceding in the beginning of the Book of Marriage].

(٨٨٨) وَعَنْ سَهْلِ بْنِ سَعْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: زَوَّجَ النَّبِيُّ ﷺ رَجُلاً آمْرَأَةً بِخَاتَمٍ مِنْ حَدِيدٍ. أَخْرَجَهُ الحَاكِمُ، وَهُوَ طَرَفٌ مِنَ الحَدِيثِ الطَّوِيلِ المُتَقَدِّمِ فِي أَوَائِلِ النِّكَاحِ.

889. Narrated 'Ali ﷺ: The dowry should not be less than ten Dirhams. [Ad-Dāraqutni reported it as *Mawqūf* (saying of a Companion, i.e. 'Ali). Also, there is a defect in its chain of narrators].

(٨٨٩) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَا يَكُونُ المَهْرُ أَقَلَّ مِنْ عَشْرَةِ دَرَاهِمَ. أَخْرَجَهُ الدَّارَقُطْنِيُّ مَوْقُوفاً، وَفِي سَنَدِهِ مَقَالٌ.

890. Narrated 'Uqba bin 'Aamir ﷺ: Allāh's Messenger ﷺ said, "The best dowry is that which is most easy." [Abū Dā'ud reported it and Al-Hākim graded it *Sahih* (authentic)].

(٨٩٠) وَعَنْ عُقْبَةَ بْنِ عَامِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «خَيْرُ الصَّدَاقِ أَيْسَرُهُ». أَخْرَجَهُ أَبُو دَاوُدَ، وَصَحَّحَهُ الحَاكِمُ.

891. Narrated 'Aisha ﷺ: 'Amra ﷺ daughter of Al-Jaun[2] sought refuge (in Allāh) from Allāh's Messenger ﷺ when she was brought in to him – meaning when he married her – and he said, "You have sought refuge in the One Worthy of seeking refuge in."[3] Then, he divorced her, and commanded Usāma who gave her three garments as a gift (i.e. her dowry). [Ibn Mājah reported it, but there is a rejected narrator in its chain of narrators]. The origin of the aforesaid story is found in the *Sahih* of Al-

(٨٩١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ عَمْرَةَ بِنْتَ الجَوْنِ تَعَوَّذَتْ مِن رَسُولِ اللهِ ﷺ، حِينَ أُدْخِلَتْ عَلَيْهِ، تَعْنِي لَمَّا تَزَوَّجَهَا، فَقَالَ: «لَقَدْ عُذْتِ بِمَعَاذٍ، فَطَلَّقَهَا وَأَمَرَ أُسَامَةَ يُمَتِّعُهَا بِثَلَاثَةِ أَثْوَابٍ». أَخْرَجَهُ ابْنُ مَاجَهْ، وَفِي إِسْنَادِهِ رَاوٍ مَتْرُوكٌ، وَأَصْلُ القِصَّةِ فِي الصَّحِيحِ مِنْ حَدِيثِ أَبِي أَسِيدٍ السَّاعِدِيِّ.

[1] This piece of narration is from the *Hadīth* in which a woman presented her person to the Prophet ﷺ as a gift. Though she was not married for an iron ring, the Prophet ﷺ accepted – in principle – that an iron ring could be given as her dowry, and this is the reason for relating this *Hadīth* at this place.

[2] 'Amra daughter of Al-Jaun's real name was disagreed upon for some said her name was Asmā' daughter of An-Nu'mān bin Abūl Jaun bin Al-Hārith Al-Kindiya. While the most likely name was Umaima, daughter of An-Nu'mān bin Sharāhil.

[3] This *Hadīth* is mentioned here to show that the Prophet ﷺ did not fix the dowry of that woman, and before having sexual relations with her divorced and gave her three pieces of clothes. It means that if the dowry is not decided and the woman is divorced before sexual intercourse, she must be given some clothing at least. The maximum she can be given a slave or a slave-girl. This is called *Mut'ah At-Talāq*.

Bukhāri from Abū Usaid As-Sā'idi's[1] *Hadīth*.

Chapter 4 *AL-WALĪMA*[2] (THE WEDDING FEAST)

٤ - بَابُ الوَلِيمَةِ

892. Narrated Anas bin Mālik ﷺ: The Prophet ﷺ saw the trace of yellow color on 'Abdur-Rahmān bin 'Auf (ﷺ) and asked, "What is this?" He replied, "O Messenger of Allāh, I have married a woman for a *Nawāt* weight (equal to the weight of a date-stone) of gold." He said, "May Allāh bless you! Hold a wedding feast,[3] even if with a sheep (only)." [Agreed upon; the wording is Muslim's].

(٨٩٢) عَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ رَأَى عَلَى عَبْدِ الرَّحْمٰنِ بْنِ عَوْفٍ أَثَرَ صُفْرَةٍ، فقال: «ما هذا؟» قَالَ: يَا رَسُولَ اللهِ! إِنِّي تَزَوَّجْتُ ٱمْرَأَةً عَلَى وَزْنِ نَوَاةٍ مِنْ ذَهَبٍ، قَالَ: «فَبَارَكَ اللَّهُ لَكَ، أَوْلِمْ وَلَوْ بِشَاةٍ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

893. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "When one of you is invited to a wedding feast he must attend it."[4] [Agreed upon]. Muslim has: "When one of you invites his brother, he must respond (i.e. attend), whether it is a wedding feast or something similar."

(٨٩٣) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قال: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا دُعِيَ أَحَدُكُمْ إِلَى الوَلِيمَةِ فَلْيَأْتِهَا». مُتَّفَقٌ عَلَيْهِ. وَلِمُسْلِمٍ: «إِذَا دَعَا أَحَدُكُمْ أَخَاهُ فَلْيُجِبْ»، عُرْساً كَانَ أَوْ نَحْوَهُ.

894. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "The worst kind of food[5] is that at a wedding feast from which those who come (i.e. the poor) are turned away, and to which those who refuse to come (i.e. the rich) are invited. If anyone does not accept an

(٨٩٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «شَرُّ الطَّعَامِ طَعَامُ الوَلِيمَةِ يُمْنَعُهَا مَنْ يَأْتِيهَا، وَيُدْعَى إِلَيْهَا مَنْ يَأْبَاهَا، وَمَنْ لَمْ يُجِبِ الدَّعْوَةَ فَقَدْ عَصَى اللَّهَ وَرَسُولَهُ». أَخْرَجَهُ مُسْلِمٌ.

---

[1] Abū Usaid was called Mālik bin Rabi'a bin Al-Badn. He witnessed Badr and other battles and died in 30 H at Madā'in. It was also said that he died in 60 H. and was the last to die among those who participated in the battle of Badr.

[2] *Walīma* (الوليمة) is a meal which is eaten on occasion of the union of husband and wife. Afterwards, food for every occasion of happiness was named *Walīma*.

[3] According to some scholars, the wedding feast is obligatory. However, according to the majority it is *Sunnah*. There is a difference of opinion about the time of the wedding feast. It is considered better to have the wedding feast when the sexual relations are accomplished.

[4] Refusing an invitation of wedding feast is disobedience of the Prophet ﷺ as mentioned in this *Hadīth*, and the one which follows.

[5] It means that along with relatives and friends the poor and needy should also be invited for *Walīma* food.

invitation he has disobeyed Allāh and His Messenger." [Reported by Muslim].

895. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said, "When one of you is invited (to a meal) he must accept. If he is fasting he should pray (i.e. make supplication for the host) and if he is not fasting he should eat." [Muslim reported it too]. Muslim has something similar to the above from the *Hadith* of Jābir ﷺ, it goes: "If he wishes he may eat, and if he wishes he may leave (the food alone)."

(٨٩٥) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا دُعِيَ أَحَدُكُمْ فَلْيُجِبْ، فَإِنْ كَانَ صَائِماً فَلْيُصَلِّ، وَإِنْ كَانَ مُفْطِراً فَلْيَطْعَمْ». أَخْرَجَهُ مُسْلِمٌ أَيْضاً.

وَلَهُ مِنْ حَدِيثِ جَابِرٍ نَحْوُهُ، وَقَالَ: «فَإِنْ شَاءَ طَعِمَ، وَإِنْ شَاءَ تَرَكَ».

896. Narrated Ibn Mas'ūd ﷺ: Allāh's Messenger ﷺ said, "The food of *Walīma* on the first day is a duty, that on the second day is a *Sunnah*, while the third day is showing off. Whoever (does something) to show-off, Allāh will expose him (in the Hereafter)."[1] [Reported by At-Tirmidhi who considered it *Gharib* (transmitted through a single narrator). [It is incorrectly claimed that] its narrators are those who are reported from in the *Sahih* (collection of Al-Bukhari)]. This *Hadīth* also has a supporting narration [which is also weak] collected by Ibn Mājah on the authority of Anas (ﷺ).

(٨٩٦) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «طَعَامُ الوَلِيمَةِ أَوَّلَ يَوْمٍ حَقٌّ، وَطَعَامُ [يَوْمِ] الثَّانِي سُنَّةٌ، وَطَعَامُ يَوْمِ الثَّالِثِ سُمْعَةٌ، وَمَنْ سَمَّعَ سَمَّعَ اللَّهُ بِهِ». رَوَاهُ التِّرمِذِيُّ، وَاسْتَغْرَبَهُ، وَرِجَالُهُ رِجَالُ الصَّحِيحِ، وَلَهُ شَاهِدٌ عَنْ أَنَسٍ عِنْدَ ابْنِ مَاجَهْ.

897. Narrated Safiya ﷺ, daughter of Shaiba:[2] The Prophet ﷺ held a wedding feast for one of his wives with two *Mudd* of barley. [Reported by Al-Bukhāri].

(٨٩٧) وَعَنْ صَفِيَّةَ بِنْتِ شَيْبَةَ قَالَتْ: أَوْلَمَ النَّبِيُّ ﷺ عَلَى بَعْضِ نِسَائِهِ بِمُدَّيْنِ مِنْ شَعِيرٍ. أَخْرَجَهُ البُخَارِيُّ.

898. Narrated Anas (ﷺ): The Prophet ﷺ stayed three nights between Khaibar and Al-Madīnah when he consummated his marriage with Safiya (ﷺ). I called the Muslims to his wedding feast which did not include bread or meat. He just

(٨٩٨) وَعَنْ أَنَسٍ قَالَ: أَقَامَ النَّبِيُّ ﷺ بَيْنَ خَيْبَرَ وَالمَدِينَةِ ثَلَاثَ لَيَالٍ، يُبْنَى عَلَيْهِ بِصَفِيَّةَ، فَدَعَوتُ المُسْلِمِينَ إِلَى وَلِيمَتِهِ، فَمَا كَانَ فِيهَا مِنْ خُبْزٍ وَلَا لَحْمٍ، وَمَا كَانَ فِيهَا إِلَّا أَنْ أَمَرَ

[1] Whoever invites the people for show, and to be praised, Allāh will disgrace him before all His creation on the Day of Judgement.

[2] She is Safiya, daughter of Shaiba bin 'Uthmān bin Abū Talha Al-Hijji of Banu 'Abdud-Dār. It is said that she saw the Prophet ﷺ while others said that she never saw him. Ibn Sa'd confirmed that she was a *Tābi'iya*.

ordered some leather dining sheets to be spread, and [*Hais,* a food made from] dates, sun-baked yogurt and butter were thrown on them. [Agreed upon; the wording is Al-Bukhāri's].

بِالأَنْطَاعِ فَبُسِطَتْ، فَأَلْقَى عَلَيْهَا التَّمْرَ وَالأَقِطَ وَالسَّمْنَ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

899. Narrated a Companion of the Prophet ﷺ: "When two people come together to issue an invitation, accept that of the one whose door is nearer to you. However, if one of them comes before the other, accept the invitation of the first."[1] [Reported by Abū Dā'ud, its chain of narrators is weak].

(٨٩٩) وَعَنْ رَجُلٍ مِنْ أَصْحَابِ النَّبِيِّ ﷺ، قَالَ: إِذَا اجْتَمَعَ دَاعِيَانِ فَأَجِبْ أَقْرَبَهُمَا بَاباً، فَإِنْ سَبَقَ أَحَدُهُمَا فَأَجِبِ الَّذِي سَبَقَ. رَوَاهُ أَبُو دَاوُدَ، وَسَنَدُهُ ضَعِيفٌ.

900. Narrated Abū Juhaifa ؓ: Allāh's Messenger ﷺ said, "I do not eat *Muttaki'an* (sitting with the support of something, so as to eat more)." [Reported by Al-Bukhāri].

(٩٠٠) وَعَنْ أَبِي جُحَيْفَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا آكُلُ مُتَّكِئاً». رَوَاهُ الْبُخَارِيُّ.

901. Narrated 'Umar bin Abū Salama[2] ؓ: Allāh's Messenger ﷺ said to me, "Dear child, mention Allāh's Name, eat with your right hand, and eat from what is next to you." [Agreed upon].

(٩٠١) وَعَنْ عُمَرَ بْنِ أَبِي سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ لِي رَسُولُ اللهِ ﷺ: «يَا غُلَامُ! سَمِّ اللَّهَ، وَكُلْ بِيَمِينِكَ، وَكُلْ مِمَّا يَلِيكَ». مُتَّفَقٌ عَلَيْهِ.

902. Narrated Ibn 'Abbās ؓ: The Prophet ﷺ was brought a dish containing *Tharid* and said, "Eat from its sides and not from the middle, for the blessing descends in the middle of it." [Reported by *Al-Arba'a*. This is the wording of An-Nasā'i. Its chain of narrators is *Sahih* (authentic)].

(٩٠٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ أُتِيَ بِقَصْعَةٍ مِنْ ثَرِيدٍ، فَقَالَ: «كُلُوا مِنْ جَوَانِبِهَا، وَلَا تَأْكُلُوا مِنْ وَسَطِهَا، فَإِنَّ الْبَرَكَةَ تَنْزِلُ فِي وَسَطِهَا». رَوَاهُ الأَرْبَعَةُ، وَهٰذَا لَفْظُ النَّسَائِيِّ، وَسَنَدُهُ صَحِيحٌ.

903. Narrated Jābir ؓ: The Prophet ﷺ said, "Do not eat with the left hand, for the devil eats with the left hand." [Reported by Muslim].

(٩٠٣) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «لَا تَأْكُلُوا بِالشِّمَالِ فَإِنَّ الشَّيْطَانَ يَأْكُلُ بِالشِّمَالِ». رَوَاهُ مُسْلِمٌ.

[1] If there are two invitations for *Walīma*, the first one should be accepted. However, if both come at the same time, then the one which lives nearer should be preferred. Some take the meaning of near to mean near in kinship. However, the wording of the *Hadith* suggest that it means whoever's house is nearer.

[2] He is 'Umar bin Abū Salama 'Abdullāh bin 'Abdul-Asad bin Hilal Al-Makhzumi, the son of *Ummul-Mu'minin* Umm Salama ؓ and the stepson of the Prophet ﷺ. He was born in Abyssinia (Ethiopia) between the time of the migration to Abyssinia and the migration to Al-Madīnah. He died in Al-Madīnah in 83 H.

904. Narrated Abū Qatāda ﷺ: The Prophet ﷺ said, "When one of you drinks, he must not breathe into the vessel."[1] [Agreed upon]. Abū Dā'ud reported something similar from Ibn 'Abbās (ﷺ) and he added: "or blow into it," [At-Tirmidhi graded it *Sahih* (authentic)].

(٩٠٤) وَعَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «إِذَا شَرِبَ أَحَدُكُمْ فَلَا يَتَنَفَّسْ فِي الإِنَاءِ». مُتَّفَقٌ عَلَيْهِ، وَلِأَبِي دَاوُدَ عَنِ ابْنِ عَبَّاسٍ نَحْوُهُ، وَزَادَ: «وَ يَنْفُخْ فِيهِ» وَصَحَّحَهُ التِّرْمِذِيُّ.

Chapter 5
DIVISION OF VISITS TO ONE'S WIVES

٥ - بَابُ القَسْمِ

905. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ used to divide visits to his wives equally and say, "O Allāh, this is my division[2] concerning what I possess, so do not blame me concerning what You possess and I do not." [Reported by *Al-Arba'a*; Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic). At-Tirmidhi held that the stronger view is that it is *Mursal* (a missing link in the chain after the *Tābi'i*)].

(٩٠٥) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَقْسِمُ لِنِسَائِهِ، فَيَعْدِلُ، وَيَقُولُ: «اللَّهُمَّ هَذَا قَسْمِي فِيمَا أَمْلِكُ، فَلَا تَلُمْنِي فِيمَا تَمْلِكُ، وَلَا أَمْلِكُ». رَوَاهُ الأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ، وَلَكِنْ رَجَّحَ التِّرْمِذِيُّ إِرْسَالَهُ.

906. Narrated Abū Huraira ﷺ: The Prophet ﷺ said, "Anyone who has two wives and inclines to one of them[3] will come on the Day of Resurrection with a side (of his body) inclining." [Reported by Ahmad and *Al-Arba'a*; its chain of narrators is *Sahih* (authentic)].

(٩٠٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ كَانَتْ لَهُ امْرَأَتَانِ فَمَالَ إِلَى إِحْدَاهُمَا دُونَ الأُخْرَى جَاءَ يَوْمَ القِيَامَةِ وَشِقُّهُ مَائِلٌ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَسَنَدُهُ صَحِيحٌ.

907. Narrated Anas ﷺ: It is from the *Sunnah* that when a man who has a wife marries a virgin, he should spend

(٩٠٧) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: «مِنَ السُّنَّةِ إِذَا تَزَوَّجَ الرَّجُلُ البِكْرَ عَلَى

[1] It means that while drinking, one should not breathe into the utensil, as it is a cause of transmitting the germs from the breath into the water, and from the water to the stomach, which could negatively affect one's health.

[2] It was not essential for the Prophet ﷺ to go to his wives by turn, and even though he had more love for 'Aisha ﷺ in his heart, even then he did justice with his wives, and always asked Allāh's forgiveness for this.

[3] In this context, justice means maintenance allowance, other necessities and night stay. All of these are in one's power to do or not to do, so these are accountable for justice. Having love for someone in the heart is not a sin, as long as it does not hinder one from doing justice.

with her seven nights, and thereafter divide the time between them (equally). And if he marries a formerly married woman he should spend with her three nights and thereafter divide the time between his wives (equally). [Agreed upon; the wording is Al-Bukhāri's].

الثَّيِّبِ، أَقَامَ عِنْدَهَا سَبْعاً، ثُمَّ قَسَمَ، وَإِذَا تَزَوَّجَ الثَّيِّبَ، أَقَامَ عِنْدَهَا ثَلاثاً، ثُمَّ قَسَمَ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

908. Narrated Umm Salama ﵂: When the Prophet ﷺ married her he stayed with her for three nights and said, "You are not being humbled in my estimation. If you wish I shall stay with you for seven nights, and if I stay with you for seven nights I shall do the same with my other wives." [Reported by Muslim].

(٩٠٨) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ لَمَّا تَزَوَّجَهَا، أَقَامَ عِنْدَهَا ثَلاثاً، وَقَالَ: «إِنَّهُ لَيْسَ بِكِ عَلَى أَهْلِكِ هَوَانٌ، إِنْ شِئْتِ سَبَّعْتُ لَكِ، وَإِنْ سَبَّعْتُ لَكِ سَبَّعْتُ لِنِسَائِي». رَوَاهُ مُسْلِمٌ.

909. Narrated 'Aisha ﵂: Sauda (﵂) daughter of Zam'a gave away[1] her day to 'Aisha (﵂). So the Prophet ﷺ allotted a share to 'Aisha (﵂) of her day and Sauda's. [Agreed upon].

(٩٠٩) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ سَوْدَةَ بِنْتَ زَمْعَةَ وَهَبَتْ يَوْمَهَا لِعَائِشَةَ، وَكَانَ النَّبِيُّ ﷺ يَقْسِمُ لِعَائِشَةَ يَوْمَهَا وَيَوْمَ سَوْدَةَ. مُتَّفَقٌ عَلَيْهِ.

910. Narrated 'Urwa (﵁): 'Aisha ﵂ said, "O My nephew, Allāh's Messenger ﷺ would not prefer some of us over others regarding the division of the time he would spend with us. It was very rare that he would not visit us all, and come near each of his wives without having intercourse with her, till he reached the one whose day[2] it was, and spent the night with her." [Reported by Ahmad and Abū Dā'ud, the wording is Abū Dā'ud's. Al-Hākim graded it *Sahih* (authentic)].

(٩١٠) وَعَنْ عُرْوَةَ قَالَ: قَالَتْ عَائِشَةُ رَضِيَ اللَّهُ تَعَالَى عَنْهَا: يَا ابْنَ أُخْتِي، كَانَ رَسُولُ اللهِ ﷺ لَا يُفَضِّلُ بَعْضَنَا عَلَى بَعْضٍ فِي الْقَسْمِ، مِنْ مُكْثِهِ عِنْدَنَا وَكَانَ قَلَّ يَوْمٌ إِلَّا وَهُوَ يَطُوفُ عَلَيْنَا جَمِيعاً، فَيَدْنُو مِنْ كُلِّ امْرَأَةٍ، مِنْ غَيْرِ مَسِيسٍ، حَتَّى يَبْلُغَ الَّتِي هُوَ يَوْمُهَا، فَيَبِيتُ عِنْدَهَا. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَاللَّفْظُ لَهُ، وَصَحَّحَهُ الْحَاكِمُ.

Muslim reported 'Aisha ﵂ as saying: "When Allāh's Messenger ﷺ offered the *'Asr* (afternoon) prayer, he would visit his wives in turn, then come close to

وَلِمُسْلِمٍ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ إِذَا صَلَّى الْعَصْرَ دَارَ عَلَى نِسَائِهِ، ثُمَّ يَدْنُو مِنْهُنَّ. الْحَدِيثَ.

[1] It means that if a woman makes a voluntary decrease in her maintenance allowance or in her turn (for night stay), it is lawful and the man is not to be blamed for it. However, she reserves the right to reclaim her right at anytime.

[2] Here 'turn' means night stay. Otherwise, one is allowed to talk to the other wives and go to their houses.

them (to kiss or hug them)." [The narrator reported the rest of the *Hadīth*].

(٩١١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ رَسُولَ اللهِ ﷺ كَانَ يَسْأَلُ فِي مَرَضِهِ الَّذِي مَاتَ فِيهِ: أَيْنَ أَنَا غَداً؟ يُرِيدُ يَوْمَ عَائِشَةَ، فَأَذِنَ لَهُ أَزْوَاجُهُ، يَكُونُ حَيْثُ شَاءَ، فَكَانَ فِي بَيْتِ عَائِشَةَ. مُتَّفَقٌ عَلَيْهِ.

911. Narrated 'Aisha ﷺ: During the illness of which Allāh's Messenger ﷺ died, he was asking, "Where shall I be tomorrow?"[1] He desired that it would be 'Aisha's day. His wives therefore permitted him to stay where he wished, and he stayed in 'Aisha's house. [Agreed upon].

(٩١٢) وَعَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ إِذَا أَرَادَ سَفَراً أَقْرَعَ بَيْنَ نِسَائِهِ، فَأَيَّتُهُنَّ خَرَجَ سَهْمُهَا، خَرَجَ بِهَا مَعَهُ. مُتَّفَقٌ عَلَيْهِ.

912. Narrated ('Aisha) ﷺ: When Allāh's Messenger ﷺ intended to go on a journey, he cast lots among his wives. Then, he would take with him the one who was chosen by the lot.[2] [Agreed upon].

(٩١٣) وَعَنْ عَبْدِ اللهِ بْنِ زَمْعَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَجْلِدْ أَحَدُكُمُ امْرَأَتَهُ جَلْدَ العَبْدِ». رَوَاهُ البُخَارِيُّ.

913. Narrated 'Abdullāh bin Zam'a[3] ﷺ: Allāh's Messenger ﷺ said, "None of you should whip his wife like the whipping of a slave."[4] [Reported by Al-Bukhāri].

٧ - بَابُ الخُلْعِ

Chapter 6
AL-KHUL'[5]
(SEPARATING FROM A WIFE FOR A COMPENSATION)

(٩١٤) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى

914. Narrated Ibn 'Abbās ﷺ: The wife of

[1] It means that during illness, mere intention of permanent stay with one of the wives is not an offense. It also means that with the permission of the other wives, one can stay with one of them. The illness of the Prophet ﷺ began at the house of Maimuna ﷺ.

[2] The one whose name came up in the draw was to accompany the Prophet ﷺ in the journey. The days spent during a journey were not accounted for in turns. The wives are also allowed to agree on one without drawing lots.

[3] He is 'Abdullāh bin Zam'a bin Al-Aswad bin 'Abdul-Muttalib bin Asad bin 'Abdul-'Uzza Al-Asadi, the brother of *Ummul-Mu'minin* Sauda bint Zam'a ﷺ. He was a famous *Sahābi* considered to be among the residents of Al-Madīnah. He was martyred during the day of Ad-Dār.

[4] It is strictly forbidden to beat the woman except for one violation, and that is in the case of illegal sexual relations. It is not allowed to hit her on face or to beat her so severely that would break a bone, in which case one will have to bear the penalty.

[5] *Khul'* (الخلع) means to take off the clothes. According to *Shari'a* terminology *Khul'* means the woman's right of cancellation of her marriage. She has the right to cancel her marriage after returning the dowry (*Mahr*). The man can divorce if he has a genuine reason. Similarly, a woman can also have *Khul'* – after returning the dowry – if she has a genuine excuse.

Thābit bin Qais[1] came to the Prophet ﷺ and said, "O Allāh's Messenger, I do not find fault with Thābit bin Qais (ؓ) in respect of character or religion, but I dislike (and fear) that I might commit an act of *Kufr fil-Islam* (that which is contradictory to Islamic behavior)." Allāh's Messenger ﷺ asked her, "Will you give him back his garden?" And she replied, "Yes," so Allāh's Messenger ﷺ said to him, "Accept the garden and divorce her, with one pronouncement (of divorce)." [Reported by Al-Bukhāri]. Another narration by him has: "He commanded him to divorce her."

عَنْهُمَا، أَنَّ ٱمْرَأَةَ ثَابِتِ بْنِ قَيْسٍ أَتَتِ النَّبِيَّ ﷺ، فَقَالَتْ: يَا رَسُولَ اللهِ! ثَابِتُ بْنُ قَيْسٍ مَا أَعِيبُ عَلَيْهِ فِي خُلُقٍ وَلَا دِينٍ، وَلٰكِنِّي أَكْرَهُ الكُفْرَ فِي الإِسْلَامِ، فَقَالَ رَسُولُ اللهِ ﷺ: «أَتَرُدِّينَ عَلَيْهِ حَدِيقَتَهُ؟» فَقَالَتْ: نَعَمْ، فَقَالَ رَسُولُ اللهِ ﷺ: «اقْبَلِ الحَدِيقَةَ وَطَلِّقْهَا تَطْلِيقَةً». رَوَاهُ البُخَارِيُّ. وَفِي رِوَايَةٍ لَهُ: «وَأَمَرَهُ بِطَلَاقِهَا».

Abū Dā'ud and At-Tirmidhi reported this *Hadīth* and the later graded it *Hasan* (good): "The wife of Thābit bin Qais got a divorce from him in return for a compensation (paid by her), and the Prophet ﷺ made her *'Iddah* (period of waiting before re-marrying) one menstruation course."

وَلِأَبِي دَاوُدَ وَالتِّرْمِذِيِّ - وَحَسَّنَهُ -: أَنَّ امْرَأَةَ ثَابِتِ بْنِ قَيْسٍ اخْتَلَعَتْ مِنْهُ، فَجَعَلَ النَّبِيُّ ﷺ عِدَّتَهَا حَيْضَةً.

Ibn Mājah reported the narration of 'Amr bin Shu'aib, on his father's authority, from his grandfather: "Thābit bin Qais was very unattractive and his wife said, 'Were it not for fear of Allāh, when he entered my presence I would spit in his face.' "

وَفِي رِوَايَةِ عَمْرِو بْنِ شُعَيْبٍ. عَنْ أَبِيهِ، عَنْ جَدِّهِ. عِنْدَ ابْنِ مَاجَهْ: أَنَّ ثَابِتَ بْنَ قَيْسٍ كَانَ دَمِيماً، وَأَنَّ امْرَأَتَهُ قَالَتْ: لَوْلَا مَخَافَةُ اللهِ إِذَا دَخَلَ عَلَيَّ لَبَصَقْتُ فِي وَجْهِهِ.

Ahmad reported from Sahl bin Abū Hathma's *Hadīth* that it was the first ever husband and wife separation for compensation in Islam.

وَلِأَحْمَدَ مِنْ حَدِيثِ سَهْلِ بْنِ أَبِي حَثْمَةَ: «وَكَانَ ذٰلِكَ أَوَّلَ خُلْعٍ فِي الإِسْلَامِ».

According to some scholars *Khul'* is divorce, while others consider *Khul'* as cancellation of marriage. There is a difference of opinion about taking back more than the original dowry. However, it seems reasonable that the man take back only that amount which was originally give to the woman as dowry, without any demand for more.

[1] Thābit bin Qais Al-Ansāri Al-Khazraji was among the elder *Sahāba* and was the spokesman of *Al-Ansār* and Allāh's Messenger ﷺ. He witnessed Uhud and the battles that followed it. The Prophet ﷺ confirmed that he will enter the *Jannah* and he was martyred during the battle of Al-Yamama in 12 H.

Chapter 7
AT-TALĀQ (DIVORCE)

٧ - بَابُ الطَّلَاقِ

915. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "The lawful thing which Allāh hates most is divorce."[1] [Reported by Abū Dā'ud and Ibn Mājah, Al-Hākim graded it *Sahib* (authentic), while Abū Hātim held that the stronger view is that it is *Mursal* (missing link after the *Tābi'i*)].

(٩١٥) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَبْغَضُ الحَلَالِ إِلَى اللهِ الطَّلَاقُ». رَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ، وَصَحَّحَهُ الحَاكِمُ، وَرَجَّحَ أَبُو حَاتِمٍ إِرْسَالَهُ.

916. Narrated Ibn 'Umar ﷺ: In the time of Allāh's Messenger ﷺ, he divorced his wife while she was menstruating, so 'Umar asked Allāh's Messenger ﷺ about that and he replied, "Command him to take her back and keep her till she is purified (from menses), has another period, and is then purified. If he then wishes he may keep her and if he wishes he may divorce her before having intercourse with her. That is the *'Iddah* (period of waiting) which Allāh commanded for the divorce of women."[2] [Agreed upon].

(٩١٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّهُ طَلَّقَ امْرَأَتَهُ، وَهِيَ حَائِضٌ، فِي عَهْدِ رَسُولِ اللهِ ﷺ، فَسَأَلَ عُمَرُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ رَسُولَ اللهِ ﷺ عَنْ ذٰلِكَ، فَقَالَ: «مُرْهُ، فَلْيُرَاجِعْهَا، ثُمَّ لِيُمْسِكْهَا حَتَّى تَطْهُرَ، ثُمَّ تَحِيضَ، ثُمَّ تَطْهُرَ، ثُمَّ إِنْ شَاءَ أَمْسَكَ بَعْدُ، وَإِنْ شَاءَ طَلَّقَ قَبْلَ أَنْ يَمَسَّ، فَتِلْكَ العِدَّةُ الَّتِي أَمَرَ اللَّهُ أَنْ تُطَلَّقَ لَهَا النِّسَاءُ». مُتَّفَقٌ عَلَيْهِ.

A narration by Muslim has: "Command him to take her back, then divorce her when she is pure from the menstrual discharge, or pregnant."

وَفِي رِوَايَةٍ لِمُسْلِمٍ: «مُرْهُ فَلْيُرَاجِعْهَا، ثُمَّ لِيُطَلِّقْهَا طَاهِراً أَوْ حَامِلاً».

Another narration by Al-Bukhāri has: "It was regarded as one divorce."

وَفِي رِوَايَةٍ أُخْرَى لِلْبُخَارِيِّ: «وَحُسِبَتْ تَطْلِيقَةً».

[1] This *Hadīth* contains many points [if it were proven to be authentic]. That all *Halāl* (legal and lawful) things are not dear to Allāh, i.e. there are some legal things which are though legal but not liked by Allāh. Divorce is among the things which are *Halāl* but it is not always good. It is *Halāl* because sometimes the situation is so complicated that man is compelled to divorce. In such situation, it is acceptable, if there is no other way out. Divorce is bad, because it is a cause of enmity and also a cause of Satan's delight. *Talāq* (divorce) means to set free and according to *Shari'a*, *Talāq* is to free the woman from the bond of marriage.

[2] This *Hadīth* also makes clear many points: 1) It is prohibited to divorce during menstruation period. 2) Without the consent of woman, man can withdraw his decision. 3) It is *Bid'ah* (innovation) to divorce a woman in the state of *Tuhr* (period of purification after menses) in which sexual intercourse is carried out, just as it is to divorce during menses. There are four kinds of divorce, out of which two are lawful and two are unlawful: To divorce during pregnancy or in the state of *Tuhr* in which sexual intercourse is not carried out are

A narration of Muslim has: "Ibn 'Umar (رضي الله عنه) said, 'If you had only made one or two pronouncements of divorce [it would have been better]. Indeed Allāh's Messenger ﷺ commanded me to take her back, then keep her till she has another period, then give her a reprieve till she is purified, then divorce her before having intercourse with her. As for you, you have divorced her with three pronouncements (at once), and have therefore disobeyed your *Rabb* [your Lord, the Creator] concerning what He commanded you regarding the divorce of your wife.' "

وَفِي رِوَايَةٍ لِمُسْلِمٍ: قَالَ ابْنُ عُمَرَ: أَمَا أَنْتَ طَلَّقْتَهَا وَاحِدَةً أَوِ اثْنَتَيْنِ فَإِنَّ رَسُولَ اللهِ ﷺ أَمَرَنِي أَنْ أُرَاجِعَهَا، ثُمَّ أُمْسِكَهَا حَتَّى تَحِيضَ حِيضَةً أُخْرَى، ثُمَّ أُمْهِلَهَا حَتَّى تَطْهُرَ، ثُمَّ أُطَلِّقَهَا قَبْلَ أَنْ أَمَسَّهَا، وَأَمَّا أَنْتَ طَلَّقْتَهَا ثَلَاثاً، فَقَدْ عَصَيْتَ رَبَّكَ فِيمَا أَمَرَكَ بِهِ مِنْ طَلَاقِ امْرَأَتِكَ.

Another narration [of Muslim] has: "Abdullāh bin 'Umar (رضي الله عنه) said, 'So he returned her to me and did not regarded it as anything, and said: When she is purified, either divorce her or keep her.' "

وَفِي رِوَايَةٍ أُخْرَى: قَالَ عَبْدُاللهِ بْنُ عُمَرَ: فَرَدَّهَا عَلَيَّ، وَلَمْ يَرَهَا شَيْئاً، وَقَالَ: إِذَا طَهُرَتْ فَلْيُطَلِّقْ، أَوْ لِيُمْسِكْ.

917. Narrated Ibn 'Abbās (رضي الله عنه): In the time of Allāh's Messenger ﷺ, Abū Bakr (رضي الله عنه) and the first two years of the caliphate of 'Umar (رضي الله عنه), the three pronouncements of divorce were regarded as one divorce.[1] So 'Umar said, "People have made haste in an

(٩١٧) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: كَانَ الطَّلَاقُ عَلَى عَهْدِ رَسُولِ اللهِ ﷺ، وَأَبِي بَكْرٍ، وَسَنَتَيْنِ مِنْ خِلَافَةِ عُمَرَ، طَلَاقُ الثَّلَاثِ وَاحِدَةً، فَقَالَ عُمَرُ: إِنَّ النَّاسَ قَدِ اسْتَعْجَلُوا فِي أَمْرٍ كَانَتْ لَهُمْ فِيهِ أَنَاةٌ، فَلَوْ

---

lawful, while to divorce during menses and in the *Tuhr* in which sexual intercourse is carried out are unlawful. From another point of view there are three kinds of divorce: These are: (i) *Ahsan*, (ii) *Hasan* and (iii) *Bid'a*. *Ahsan* is to divorce once during pregnancy or *Tuhr* period and let the *'Iddah* pass away. (*'Iddah* is a prescribed period of waiting, during which a divorced or widowed woman can not remarry. It varies according to different circumstances). *Hasan* is to divorce three times, in three separate periods of *Tuhr*. Up to two divorces or two *Tuhr*, one can cancel the divorce. However, after the third pronouncement of divorce he can neither cancel the divorce nor remarry her without her marriage to someone else, consummation, and then being divorced again or becoming a widow. *Bid'a* is to divorce two or three times in one sitting. Most of the scholars are of the opinion that divorce pronounced during menses will be counted, though in this case revoking it is obligatory.

[1] What is the legal status of three divorces given together at a time? There is difference of opinion on this issue among the scholars. 1) First opinion is that three divorces given together at a time are nothing and have no legal status at all. 2) Second opinion is that three divorces given together at a time are counted, and the woman is divorced. 3) Third opinion is that this is only one divorce. 4) Fourth opinion is that if the woman has carried out the sexual intercourse, then three will count, and if she has not carried out sexual intercourse, then only one will happen. Among these different views the third is stronger and more

أَمْضَيْنَاهُ عَلَيْهِمْ. فَأَمْضَاهُ عَلَيْهِمْ. رَوَاهُ مُسْلِمٌ.

affair which they are required to take slowly. What if we execute it on them." So, he executed it on them. [Reported by Muslim].

(٩١٨) وَعَنْ مَحْمُودِ بْنِ لَبِيدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: أُخْبِرَ رَسُولُ اللهِ ﷺ عَنْ رَجُلٍ طَلَّقَ امْرَأَتَهُ ثَلَاثَ تَطْلِيقَاتٍ جَمِيعاً، فَقَامَ غَضْبَانَ، ثُمَّ قَالَ: أَيُلْعَبُ بِكِتَابِ اللهِ، وَأَنَا بَيْنَ أَظْهُرِكُمْ؟ حَتَّى قَامَ رَجُلٌ، فَقَالَ: يَا رَسُولَ اللهِ! أَلَا أَقْتُلُهُ. رَوَاهُ النَّسَائِيُّ، وَرُوَاتُهُ مُوَثَّقُونَ.

918. Narrated Mahmūd bin Labid[1] ﷺ: When Allāh's Messenger ﷺ was informed about a man who had divorced his wife with all the three pronouncements (without any interval between them), he stood up in anger and said, "Is Allāh's Book being played with while I am among you?" As a result a man got up and said, "O Allāh's Messenger, shall I kill him?" [Reported by An-Nasā'i; its narrators are reliable (*thiqah*)].

(٩١٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: طَلَّقَ أَبُو رُكَانَةَ، فَقَالَ لَهُ رَسُولُ اللهِ ﷺ: «رَاجِعِ امْرَأَتَكَ». فَقَالَ: إِنِّي طَلَّقْتُهَا ثَلَاثاً، قَالَ: «قَدْ عَلِمْتُ، رَاجِعْهَا». رَوَاهُ أَبُو دَاوُدَ.

919. Narrated Ibn 'Abbās ﷺ: Abū Rukāna[2] divorced Umm Rukāna. So Allāh's Messenger ﷺ told him, "Take your wife back." And he replied, "I have divorced her with three pronouncements." He said, "I have understood, take her back." [Reported by Abū Dā'ud].

وَفِي لَفْظٍ لِأَحْمَدَ: طَلَّقَ أَبُو رُكَانَةَ ٱمْرَأَتَهُ فِي مَجْلِسٍ وَاحِدٍ ثَلَاثاً، فَحَزِنَ عَلَيْهَا، فَقَالَ لَهُ رَسُولُ اللهِ ﷺ: «فَإِنَّهَا وَاحِدَةٌ». وَفِي سَنَدِهِمَا ابْنُ إِسْحَاقَ، وَفِيهِ مَقَالٌ.

A wording by Ahmad has: Abū Rukāna divorced his wife with three pronouncements in one sitting. Then, he was grieved about her and Allāh's Messenger ﷺ told him, "They (the three pronouncements) are reckoned as a single (utterance of divorce)." [The

reasonable. The same was customary in the time of the Prophet ﷺ, therefore, Abu Rukāna was ordered by the Prophet ﷺ to return his wife after giving three divorces together. If the three divorces had counted, the Prophet ﷺ would not have ordered him to return his wife. This mode of divorce is also logically understandable. For three divorces, the Prophet ﷺ fixed the period of three months.

[1] He is Mahmūd bin Labid bin Abū Rāfi' Al-Ansāri Al-Ashhali. He was born during the lifetime of (the Prophet ﷺ). Al-Bukhāri said, "He attained the companionship of the Prophet ﷺ", but Abū Hātim said that his Companionship is unknown, and Muslim counted him among the *Tabi'in*. He was among the *'Ulamā* and he died in the year 96 H.

[2] Abū Rukāna bin 'Abd Yazid bin Hāshim bin 'Al-Muttalib bin Abd Munāf Al-Muttalibi was among those who became Muslims during the conquest of Makkah. It is said that he wrestled with the Prophet ﷺ who beat him and that was the cause of his Islam. He settled at Al-Madīnah and died there at the beginning of Mu'āwiya's Caliphate. It is also said that he died during his caliphate. It is also said that he died in the year 41. His wife was Suhaima, daughter of 'Uwaimir Al-Muzaniya.

two *Ahadīth* have Ibn Ishāq[1] , in their chains of narrators, and his reliability has been questioned].

وَقَدْ رَوَى أَبُو دَاوُدَ مِنْ وَجْهٍ آخَرَ أَحْسَنَ مِنْهُ، أَنَّ أَبَا رُكَانَةَ طَلَّقَ ٱمْرَأَتَهُ سُهَيْمَةَ ٱلْبَتَّةَ، فَقَالَ: وَاللهِ مَا أَرَدْتُ بِهَا إِلَّا وَاحِدَةً، فَرَدَّهَا إِلَيْهِ النَّبِيُّ ﷺ.

Abū Dā'ud have reported (a *Hadīth*) better than the aforesaid one through another chain, it has: "Abu Rukāna divorced his wife Suhaima irrevocably and said, 'I swear by Allāh that I meant it to be only a single utterance of divorce,' so the Prophet ﷺ returned her to him."

(٩٢٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «ثَلَاثٌ جِدُّهُنَّ جِدٌّ، وَهَزْلُهُنَّ جِدٌّ: النِّكَاحُ، وَالطَّلَاقُ، وَالرَّجْعَةُ». رَوَاهُ الأَرْبَعَةُ إِلَّا النَّسَائِيَّ، وَصَحَّحَهُ الحَاكِمُ.

920. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "There are three things which, whether undertaken seriously or in jest, are treated as serious:[2] marriage, divorce and taking back a wife after a divorce which is not final." [Reported by *Al-Arba'a* except An-Nasā'i. Al-Hākim graded it *Sahih* (authentic)].

وَفِي رِوَايَةٍ لِابْنِ عَدِيٍّ، مِنْ وَجْهٍ آخَرَ ضَعِيفٍ: «الطَّلَاقُ، وَالعَتَاقُ، وَالنِّكَاحُ».

In a narration of Ibn 'Adi, through another chain of narrators, which is *Da'if* (weak), it has: "Divorce, emancipation and marriage."

وَلِلْحَارِثِ بْنِ أَبِي أُسَامَةَ، مِنْ حَدِيثِ عُبَادَةَ ابْنِ الصَّامِتِ، رَفَعَهُ: «لَا يَجُوزُ اللَّعِبُ فِي ثَلَاثٍ: الطَّلَاقِ، وَالنِّكَاحِ، وَالعَتَاقِ، فَمَنْ قَالَهُنَّ فَقَدْ وَجَبْنَ». وَسَنَدُهُ ضَعِيفٌ.

Al-Hārith bin Abū Usāma reported from the *Hadīth* of 'Ubāda bin As-Sāmit (ﷺ) – tracing it to the Prophet ﷺ: "It is not permissible to play in three things: divorce, marriage and emancipation. Therefore, whoever pronounces (either of) them, they certainly become binding." [Its chain of narrators is *Da'if* (weak)].

(٩٢١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، قَالَ: «إِنَّ اللَّهَ تَعَالَى تَجَاوَزَ عَنْ أُمَّتِي مَا حَدَّثَتْ بِهِ أَنْفُسُهَا، مَا لَمْ تَعْمَلْ، أَوْ تَكَلَّمْ». مُتَّفَقٌ عَلَيْهِ.

921. Narrated Abū Huraira ﷺ: The Prophet ﷺ said, "Allāh, the Most High, has forgiven my followers what they contemplate on within themselves (i.e. evil thoughts) as long as they do not act

[1] Abū 'Abdullāh Muhammad bin Ishāq bin Yasār Al-Muttalibi, the manumitted slave of Qais bin Makhrama Al-Madani was the master of the history of the military expeditions of the Prophet ﷺ and his Companions رضي الله عنهم. He died in 51 H.

[2] It means that the following four things happen merely because of utterances even if spoken by way of joke: 1) *Nikāh* – marriage. 2) *Talāq* – divorce. 3) Revocation of a divorce, and 4) Freeing of a slave.

upon or speak about them." [Agreed upon].

922. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ said, "Allāh, the Most High, has overlooked my follower's mistakes and forgetfulness, and what they are forced to do against their will."[1] [Reported by Ibn Mājah and Al-Hākim. Abū Hātim said that it is not an established (authentic) *Hadīth*].

(٩٢٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ، قَالَ: «إِنَّ اللَّهَ تَعَالَى وَضَعَ عَنْ أُمَّتِي الخَطَأَ، وَالنِّسْيَانَ، وَمَا اسْتُكْرِهُوا عَلَيْهِ». رَوَاهُ ابْنُ مَاجَهْ. وَالحَاكِمُ. وَقَالَ أَبُو حَاتِمٍ: لَا يَثْبُتُ.

923. Narrated Ibn 'Abbās ﷺ: "If anyone makes his wife unlawful[2] for himself – it is nothing." He said, "Indeed you have a good example in Allāh's Messenger."[3] [Reported by Al-Bukhāri].

(٩٢٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: إِذَا حَرَّمَ امرأَتَهُ، لَيْسَ بِشَيْءٍ وَقَالَ: لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللهِ أُسْوَةٌ حَسَنَةٌ. رَوَاهُ البُخَارِيُّ.

Muslim has: "When a man makes his wife unlawful for himself, it is (treated like) an oath for which atonement must be made (if broken)."

وَلِمُسْلِمٍ: إِذَا حَرَّمَ الرَّجُلُ عَلَيْهِ امْرَأَتَهُ، فَهُوَ يَمِينٌ، يُكَفِّرُهَا.

924. Narrated 'Aisha ﷺ: When the daughter of Al-Jaun was admitted into the presence of Allāh's Messenger ﷺ and he went near her, she said, "I seek refuge in Allāh from you." He replied, "You have sought refuge in the Supreme [One Who is worthy of refuge being taken in], return to your family."[4] [Reported by Al-Bukhāri].

(٩٢٤) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ ابْنَةَ الجَوْنِ لَمَّا أُدْخِلَتْ عَلَى رَسُولِ اللهِ ﷺ، وَدَنَا مِنْهَا: قَالَتْ: أَعُوذُ بِاللهِ مِنْكَ، فَقَالَ: «لَقَدْ عُذْتِ بِعَظِيمٍ، الْحَقِي بِأَهْلِكِ». رَوَاهُ البُخَارِيُّ.

925. Narrated Jābir ﷺ: Allāh's Messenger ﷺ said, "There is no divorce

(٩٢٥) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ،

[1] It means that mere thinking of divorce does not effectuate it. It also means that the divorce given under compulsion is not a divorce. Similarly marriage under compulsion is also not a marriage.

[2] If a man says to his wife that he will not keep any relation with her and makes her unlawful for himself, it will not be regarded as a divorce, it is only a vow and has to be expiated.

[3] The Prophet's example here refers to his boycotting of his wives for a period of time.

[4] Another division of divorce is made clear in this *Hadīth*, which is as follows: 1) Evident and clear divorce: In this form no intention is involved because of the clear and definite words. Just the words spoken are deemed enough to accomplish the divorce. 2) Indirect or by hint: In this form the words are equivocal, and may or may not mean divorce. For example: 'You are free' or 'Go to your parents', etc. When such words are spoken, their intention will be considered, and not the words. If the speaker means divorce, then it will be effected, and if he does not mean divorce then it will not happen.

except after marriage, and no freeing (of a slave) till one has possession (of one)."[1] [Reported by Abū Ya‘la and Al-Hākim graded it *Sahih* (authentic), but it is *Ma‘lul* (containing a hidden defective). Ibn Majah reported a similar narration, on the authority of Al-Miswar bin Makhrama, and its chain of narrators is (or appears to be) *Hasan* (good), but it is also *Ma‘lul* (hidden defect)].

قَالَ: قَال رَسُولُ اللهِ ﷺ: «لَا طَلَاقَ إِلَّا بَعْدَ نِكَاحٍ، وَلَا عِتْقَ إِلَّا بَعْدَ مِلْكٍ». رَوَاهُ أَبُو يَعْلَى، وَصَحَّحَهُ الحَاكِمُ، وَهُوَ مَعْلُول، وَأَخْرَجَ ابْنُ مَاجَهْ عَنِ المِسْوَرِ بْنِ مَخْرَمَةَ مِثْلَهُ، وَإِسْنَادُهُ حَسَنٌ، لٰكِنَّهُ مَعْلُولٌ أَيْضاً.

926. Narrated ‘Amr bin Shu‘aib on his father's authority from his grandfather: Allāh's Messenger ﷺ said, "No descendant of Adam may make a vow concerning something he does not possess, or set free (a slave) that he does not possess, or divorce (a woman) whom he does not possess (in marriage)." [Abū Dā'ud and At-Tirmidhi reported it; the latter graded it *Sahih* (authentic), and transmitted from Al-Bukhāri his statement that it is the most authentic *Hadīth* on this subject].

(٩٢٦) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا نَذْرَ لِابْنِ آدَمَ فِيمَا لَا يَمْلِكُ، وَلَا عِتْقَ لَهُ فِيمَا لَا يَمْلِكُ، وَلَا طَلَاقَ لَهُ فِيمَا لَا يَمْلِكُ». أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ، وَنَقَلَ عَنِ البُخَارِيِّ أَنَّهُ أَصَحُّ مَا وَرَدَ فِيهِ.

927. Narrated ‘Aisha: The Prophet ﷺ said, "There are three people whose actions are not recorded:[2] a sleeping person till he awakes, a child till he is a grown up, and an insane person till he is restored to reason or recovers his senses." [Reported by Ahmad and *Al-Arba‘a*, except At-Tirmidhi. Al-Hākim graded it *Sahih* (authentic)].

(٩٢٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، عَنِ النَّبِيِّ ﷺ قَالَ: «رُفِعَ القَلَمُ عَنْ ثَلَاثَةٍ: عَنِ النَّائِمِ حَتَّى يَسْتَيْقِظَ، وَعَنِ الصَّغِيرِ حَتَّى يَكْبَرَ، وَعَنِ المَجْنُونِ حَتَّى يَعْقِلَ، أَوْ يُفِيقَ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ إِلَّا التِّرْمِذِيَّ، وَصَحَّحَهُ الحَاكِمُ وأخرجه ابْنُ حِبَّانَ.

Chapter 8
AR-RAJ‘A (TAKING BACK A WIFE AFTER A DIVORCE WHICH IS NOT FINAL)

٨ - بَابُ الرَّجْعَةِ

928. Narrated ‘Imrān bin Husain: He was asked about a man who divorces

(٩٢٨) عَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ

[1] It means that one can only divorce that woman who is married to him.

[2] It means that if anybody divorces during sleep, it will not be regarded a divorce. If a minor divorces, it will not be considered divorce. Similarly, if an insane person divorces, it will not be counted as divorce.

his wife, then takes her back without taking witnesses (on either). So he replied, "Get witnesses on her divorce, and on her return."[1] [Abū Dā'ud reported it *Mawqūf* (saying of a Companion), and its chain of narrators is *Sahih* (authentic)]. Al-Baihaiqi reported the aforesaid *Hadīth* with this wording: 'Imrān bin Husain ﷺ was asked about someone who takes his wife back (after a divorce that is not final), but he does not take witnesses. So, he replied, "It is not *Sunnah*, and he should get witnesses now." At-Tabarāni added in a narration: "and he should ask Allāh's forgiveness."

تَعَالَى عَنْهُمَا، أَنَّهُ سُئِلَ عَنِ الرَّجُلِ يُطَلِّقُ، ثُمَّ يُرَاجِعُ، وَلَا يُشْهِدُ، فَقَالَ: أَشْهِدْ عَلَى طَلَاقِهَا، وَعَلَى رَجْعَتِهَا. رَوَاهُ أَبُو دَاوُدَ هٰكَذَا مَوْقُوفاً، وَسَنَدُهُ صَحِيحٌ وَأَخْرَجَهُ الْبَيْهَقِيُّ بِلَفْظِ: (أَنَّ عِمْرَانَ بْنَ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا سُئِلَ عَمَّنْ رَاجَعَ امْرَأَتَهُ وَلَمْ يُشْهِدْ، فَقَالَ: فِي غَيْرِ سُنَّةٍ؟ فَلْيُشْهِدِ الآنَ) وَزَادَ الطَّبَرَانِيُّ فِي رِوَايَةٍ (وَيَسْتَغْفِرِ اللهَ).

929. Narrated Ibn 'Umar ﷺ: When he divorced his wife the Prophet ﷺ said to 'Umar, "Command him to take her back." [Agreed upon].

(٩٢٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّهُ لَمَّا طَلَّقَ امْرَأَتَهُ، قَالَ النَّبِيُّ ﷺ لِعُمَرَ: «مُرْهُ، فَلْيُرَاجِعْهَا». مُتَّفَقٌ عَلَيْهِ.

Chapter 9
AL-'IYLA',[2] *AZ-ZIHĀR*[3] AND *AL-KAFFĀRAH*[4]

٩ - بَابُ الإِيلَاءِ وَالظِّهَارِ وَالكَفَّارَةِ

930. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ swore that he would stay away from his wives for a period. He made

(٩٣٠) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: آلَىٰ رَسُولُ اللهِ ﷺ مِنْ نِسَائِهِ، وَحَرَّمَ،

[1] It means that for *Talāq* (divorce) and *Raj'a* (revocation of divorce), two witnesses should be present. If there are no witnesses, the man or woman can go back on one's word for some of their interests and it cause many evils. To call for witnesses is either obligatory or desirable. Consensus is that it is desirable, but actually it is obligatory.

[2] *'Iylā'* (الإيلاء) means to make a vow that one is not going to maintain sexual relations with his wife; or to say to her directly – swearing by Allāh – that no sexual relationship will be maintained with her in the future. Allāh has prescribed a four months period to restore the relationship. It is better to revive the relationship, by paying expiation for the oath within the prescribed period. Otherwise, divorce will become effective by itself; or according to others, the man will be compelled to divorce her or bring back the relationship to normal again.

[3] *Zihār* (الظهار) is derived from the word *Zahr* (الظهر) meaning back, making resemblance between one's wife and the mother's back. This is a figure of speech in Arabic language which means that you are like my mother and unlawful for me for marriage. According to *Shari'a* terminology, *Zihār* means comparing one's wife and to one's mother, and making her unlawful for oneself. It is not considered a divorce in *Shari'a* but one has to expiate for it before returning to his wife. Its expiation is to free a slave or to fast for sixty days consecutively or to feed sixty poor persons. It is compulsory to bear one of these punishments.

[4] *Kaffarah* (الكفارة) means making atonement (for either of the above two cases).

something unlawful (for himself) (i.e. something not in itself unlawful). So, he made the lawful unlawful, and he made atonement for breaking an oath. [Reported by At-Tirmidhi, and its narrators are reliable (*thiqah*)].

فَجَعَلَ الحَلَالَ حَرَاماً، وَجَعَلَ لِلْيَمِينِ كَفَّارَةً. رَوَاهُ التِّرمِذِيُّ، وَرُوَاتُه ثِقَاتٌ.

931. Narrated Ibn 'Umar ﷺ: When a period of four months elapses, the one who swears to stay away from his wife must be made to return to her or divorce her, and the divorce is not valid till the husband himself pronounces it.[1] [Al-Bukhāri reported it].

(٩٣١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: إِذَا مَضَتْ أَرْبَعَةُ أَشْهُرٍ وُقِفَ المُولِي، حَتَّى يُطَلِّقَ، وَلَا يَقَعُ عَلَيْهِ الطَّلَاقُ حَتَّى يُطَلِّقَ. أَخْرَجَهُ البُخَارِيُّ.

932. Narrated Sulaimān bin Yasār[2] (ﷺ): I met thirteen or more of the Companions of Allāh's Messenger ﷺ, all of them made the one who swears to stay away from his wife, return to her or divorce her (at the end of the period). [Reported by Ash-Shāfi'ī].

(٩٣٢) وَعَنْ سُلَيْمَانَ بْنِ يَسَارٍ قَالَ: أَدْرَكْتُ بِضْعَةَ عَشَرَ رَجُلاً مِنْ أَصْحَابِ رَسُولِ اللهِ ﷺ، كُلُّهُمْ يَقِفُونَ ٱلْمُولِيَ. رَوَاهُ الشَّافِعِيُّ.

933. Narrated Ibn 'Abbās ﷺ: The swearing to stay away from one's wife in *Al-Jāhiliya* era[3] was for one or two years. Then, Allāh appointed a period of four months for it. So, if it is less than four months, it is not swearing to stay away from one's wife.[4] [Al-Baihaqi reported it].

(٩٣٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ إِيلَاءُ الجَاهِلِيَّةِ السَّنَةَ وَالسَّنَتَيْنِ، فَوَقَّتَ اللَّهُ أَرْبَعَةَ أَشْهُرٍ، فَإِنْ كَانَ أَقَلَّ مِنْ أَرْبَعَةِ أَشْهُرٍ فَلَيْسَ بِإِيلَاءٍ. أَخْرَجَهُ البَيْهَقِيُّ.

934. Narrated (Ibn 'Abbās) ﷺ: A man had vowed to make his wife like his mother (i.e. forbidden for him). Then

(٩٣٤) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَجُلاً ظَاهَرَ مِنِ امْرَأَتِهِ، ثُمَّ وَقَعَ عَلَيْهَا، فَأَتَى

[1] In case of *'Iylā'* the man should be asked either to divorce or restore the relationship, after the passing of four months. If he is not willing in either case, then she can get her marriage cancelled with the permission of the ruler, and after passing her *'Iddah* period, she is allowed to marry.

[2] He is Abū Ayub Sulaimān bin Yasār, the manumitted slave of *'Ummul-Mū'minin* Maimuna ﷺ. He was one of the seven *Fiqh 'Ulamā* of the elder *Tabi'in* in Al-Madīnah. He was reliable, virtuous, pious and knowledgeable. He died in the year 107 H at the age of 73 years.

[3] In the Period of Ignorance the woman was very unfortunate. Sometimes, for years she stood in the middle of nowhere, neither married nor divorced, hanging in between. Also, she was not allowed to remarry after passing her *'Iddah* period. Sometimes, severance of relations is necessary for the purpose of teaching her a lesson. However, separation for years at a time is injustice to her, so Allāh fixed the period as four months.

[4] This *Hadīth* makes it clear that if the relations are re-established within the period of four months, then it is not *'Iylā'* and there is no penalty for it.

he had intercourse with her, so he went to the Prophet ﷺ and said, "I had intercourse with her before making the atonement." He replied, "Do not go near her till you do what Allāh has commanded you to do." [Reported by *Al-Arba'a*. At-Tirmidhi graded it *Sahih* (authentic) but An-Nasā'i held that the stronger view is that it is ***Mursal*** (missing link after the ***Tābi'i***)]. Al-Bazzār reported it through another chain, from Ibn 'Abbās (ﷺ) and he added: "Make an atonement and do not repeat it."

النَّبِيَّ ﷺ، فَقَالَ: إِنِّي وَقَعْتُ عَلَيْهَا قَبْلَ أَنْ أُكَفِّرَ، قَالَ: «فَلَا تَقْرَبْهَا، حَتَّى تَفْعَلَ مَا أَمَرَكَ اللَّهُ تَعَالَى بِهِ». رَوَاهُ الأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ، وَرَجَّحَ النَّسَائِيُّ إِرْسَالَهُ، وَرَوَاهُ البَزَّارُ مِنْ وَجْهٍ آخَرَ عَنِ ابْنِ عَبَّاسٍ، وَزَادَ فِيهِ: «كَفِّرْ وَلَا تَعُدْ».

935. Narrated Salama bin Sakhr[1] ﷺ: When the month of Ramadān came, I feared lest I would have intercourse with my wife. So, I vowed *Az-Zihar* (that she was like my mother). Then, one night something of her was uncovered to me and I had intercourse with her. Allāh's Messenger ﷺ afterwards said to me, "Set a slave free," and I replied, "I do not possess one (that I can free)." He said, "Then fast two consecutive months." I replied, "Have I fallen into that which I have fallen into except due to fasting!?" He said, "Feed sixty poor people with an *'Araq* (basket) of dates." [Reported by Ahmad and *Al-Arba'a* except An-Nasā'i. Ibn Khuzaima and Ibn Al-Jārūd graded it *Sahih* (authentic)].

(٩٣٥) وَعَنْ سَلَمَةَ بْنِ صَخْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: دَخَلَ رَمَضَانُ، فَخِفْتُ أَنْ أُصِيبَ امْرَأَتِي، فَظَاهَرْتُ مِنْهَا، فَانْكَشَفَ لِي شَيْءٌ مِنْهَا لَيْلَةً، فَوَقَعْتُ عَلَيْهَا فَقَالَ لِي رَسُولُ اللهِ ﷺ: «حَرِّرْ رَقَبَةً». فَقُلْتُ: مَا أَمْلِكُ إِلَّا رَقَبَتِي. قَالَ: «فَصُمْ شَهْرَيْنِ مُتَتَابِعَيْنِ»، قُلْتُ: وَهَلْ أَصَبْتُ الَّذِي أَصَبْتُ إِلَّا مِنَ الصِّيَامِ، قَالَ: «أَطْعِمْ عَرَقاً مِنْ تَمْرٍ سِتِّينَ مِسْكِيناً». أَخْرَجَهُ أَحْمَدُ وَالأَرْبَعَةُ إِلَّا النَّسَائِيَّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ الجَارُودِ.

Chapter 10
AL-LI'ĀN[2]
(INVOKING CURSES)

١٠ - بَابُ اللِّعَانِ

936. Narrated Ibn 'Umar ﷺ: So-and-so asked and said, "O Allāh's Messenger, what you think if one of us finds his

(٩٣٦) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: سَأَلَ فُلَانٌ فَقَالَ: يَا رَسُولَ اللهِ! أَرَأَيْتَ

[1] He is Salama bin Sakhr bin Sulaimān bin As-Samma Al-Bayādi – a descendant of Banu Bayād, a clan of Al-Khazraj – was one of the *Al-Bukā'un* (the wailers) among the *Sahāba*.

[2] *Li'ān* (اللعان) means to accuse one's wife of adultery, without any solid proof in hand. In case the woman denies the allegation, the man has to swear four times repeating the allegation and for the fifth time he would say: May Allāh's Wrath fall on me if I am a liar. If

wife committing adultery, how should he act? If he talks he would talk about a grievous affair, and if he keeps silent he would keep silent about something similar (a grievous affair)." He gave no answer. Afterwards he came to him (ﷺ) and said, "I have been afflicted with the very problem which I had asked you about." Then Allāh revealed the verses of *Surāt An-Nur* (the Light). He then recited them to him and exhorted, admonished and informed him that the punishment of this world is easier than that of the Hereafter. He said, "No, by Him Who sent you with the Truth, I have not lied against her." He then summoned the woman and exhorted her in the same way. She said, "No, by Him Who sent you with the Truth, he is a liar." He began with the man; and he (the man) bore witness four times with an oath by Allāh; he then did the same with the woman, then he separated them. [Reported by Muslim].

أَنْ لَو وَجَدَ أَحَدُنَا ٱمْرَأَتَهُ عَلىٰ فَاحِشَةٍ كَيْفَ يَصْنَعُ؟ إِنْ تَكَلَّمَ تَكَلَّمَ بِأَمْرٍ عَظِيمٍ، وَإِنْ سَكَتَ سَكَتَ عَلىٰ مِثْلِ ذٰلِكَ. فَلَمْ يُجِبْهُ، فَلَمَّا كَانَ بَعْدَ ذٰلِكَ أَتَاهُ، فَقَالَ: «إِنَّ الَّذِي سَأَلْتُكَ عَنْهُ قَدِ ابْتُلِيتُ بِهِ، فَأَنْزَلَ اللَّهُ الآيَاتِ فِي سُورَةِ النُّورِ، فَتَلَاهُنَّ عَلَيْهِ وَوَعَظَهُ، وَذَكَّرَهُ، وَأَخْبَرَهُ أَنَّ عَذَابَ الدُّنْيَا أَهْوَنُ مِنْ عَذَابِ الآخِرَةِ»، قَالَ: لَا، وَالَّذِي بَعَثَكَ بِالحَقِّ، مَا كَذَبْتُ عَلَيْهَا، ثُمَّ دَعَاهَا فَوَعَظَهَا كَذٰلِكَ، قَالَتْ: لَا، وَالَّذِي بَعَثَكَ بِالحَقِّ، إِنَّهُ لَكَاذِبٌ، فَبَدَأَ بِالرَّجُلِ، فَشَهِدَ أَرْبَعَ شَهَادَاتٍ بِاللهِ، ثُمَّ ثَنَّى بِالمَرْأَةِ، ثُمَّ فَرَّقَ بَيْنَهُمَا. رَوَاهُ مُسْلِمٌ.

937. Narrated (Ibn 'Umar) ﷺ: Allāh's Messenger ﷺ said to the two who were invoking curses regarding one another, "Your reckoning is in Allāh's Hands[1] for one of you is lying. You cannot remarry her." He (the man) said, "O Allāh's Messenger, what about my property (dowry)?" He replied, "If you have spoken the truth, it is the price of your having had the right of intercourse with her;[2] and if you have lied against her, it is even more remote for you (to get it back) from her." [Agreed upon].

(٩٣٧) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ لِلْمُتَلَاعِنَيْنِ: «حِسَابُكُمَا عَلَى اللَّهِ، أَحَدُكُمَا كَاذِبٌ، لَا سَبِيلَ لَكَ عَلَيْهَا»، قَالَ: يَا رَسُولَ اللهِ! مَالِي؟ فَقَالَ: «إِنْ كُنْتَ صَدَقْتَ عَلَيْهَا، فَهُوَ بِمَا اسْتَحْلَلْتَ مِنْ فَرْجِهَا، وَإِنْ كُنْتَ كَذَبْتَ عَلَيْهَا، فَذَاكَ أَبْعَدُ لَكَ مِنْهَا». مُتَّفَقٌ عَلَيْهِ.

---

the woman keeps silent, she will be punished. However, if she denies the allegation, she will have to swear four times denying the allegation and the fifth time she would say: If he is speaking the truth, may Allāh's Curse fall on me. Since Allāh's Curse is invoked in this matter, it is referred to as *Li'ān*. *Li'ān* makes a separation between a man and his wife automatically, and there is no way for them to remarry.

[1] In this *Hadīth* attention is called to repentance for sins.

[2] It relates that dowry cannot be taken back from the woman. It is a unanimous issue.

938. Narrated Anas ؓ: The Prophet ﷺ said, "Observe her, and if she gives birth to a child which is white complexioned with dark hair, her husband would be its father. But if she gives birth to a child with eyes looking as if they have antimony (*Kuhl*) in them and curled hair, the man whom her husband charged her with committing adultery is its father."[1] [Agreed upon].

(٩٣٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «أَبْصِرُوهَا، فَإِنْ جَاءَتْ بِهِ أَبْيَضَ، سَبِطاً، فَهُوَ لِزَوْجِهَا، وَإِنْ جَاءَتْ بِهِ أَكْحَلَ، جَعْداً، فَهُوَ لِلَّذِي رَمَاهَا بِهِ». مُتَّفَقٌ عَلَيْهِ.

939. Narrated Ibn 'Abbās ؓ: Allāh's Messenger ﷺ ordered a man to put his hand on his mouth [2] when he came to the fifth pronouncement and said, "It would be the deciding one." [Reported by Abū Dā'ud and An-Nasā'i. Its narrators are reliable].

(٩٣٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ أَمَرَ رَجُلاً أَنْ يَضَعَ يَدَهُ عِنْدَ الخَامِسَةِ عَلَىٰ فِيهِ، وَقَالَ: «إِنَّهَا مُوجِبَةٌ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَرِجَالُهُ ثِقَاتٌ.

940. Narrated Sahl bin Sa'd ؓ concerning the story of the two (husband and wife) who invoked curses regarding one another: When they finished invoking curses regarding one another the man said, "I shall have lied against her, O Allāh's Messenger, if I keep her (as a wife)." He, then, pronounced her divorce three times,[3] even before Allāh's Messenger ﷺ commanded him to do so. [Agreed upon].

(٩٤٠) وَعنْ سَهْلِ بْنِ سَعْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما - فِي قِصَّةِ المُتَلَاعِنَيْنِ - قَالَ: فَلَمَّا فَرَغَا مِنْ تَلَاعُنِهِمَا، قَالَ: كَذَبْتُ عَلَيْهَا يَا رَسُولَ اللهِ! إِنْ أَمْسَكْتُهَا، فَطَلَّقَهَا ثَلَاثاً قَبْلَ أَنْ يَأْمُرَهُ رَسُولُ اللهِ ﷺ. مُتَّفَقٌ عَلَيْهِ.

941. Narrated Ibn 'Abbās ؓ: A man came to the Prophet ﷺ and said, "My wife rejects no hand of a man who wishes to touch her[4]." He said,

(٩٤١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَجُلاً جَاءَ إِلَى النَّبِيِّ ﷺ، فَقَالَ: إِنَّ امْرَأَتِي لَا تَرُدُّ يَدَ لَامِسٍ، قَالَ: «غَرِّبْهَا»،

[1] This *Hadīth* relates three points: First, about the things not made clear by Revelation, the Prophet ﷺ exercised his judgement in them. Second, if the primary sources for decision making are not available, making decision by conjecture is allowed. Third, in case of *Li'ān*, even if the conjecture is correct, the woman is not punished for adultery.

[2] Putting the hand on the mouth is a sign to be heedful and conscious on the last pronouncement; after it one has to bear the consequences in this world or in the Hereafter. If the man stops for the fifth time he will be punished for slandering. Woman has also the right of *Li'ān* if she wishes.

[3] After *Li'ān* there is no need of divorce, it automatically befalls. After *Li'ān* woman is not entitled to receive any maintenance allowance or lodging.

[4] It has various meanings: Firstly, she is of loose character with strangers. Seconding, she is

قَالَ: أَخَافُ أَنْ تَتْبَعَهَا نَفْسِي، قَالَ: «فَاسْتَمْتِعْ بِهَا». رَوَاهُ أَبُو دَاوُدَ وَالبَزَّارُ، وَرِجَالُهُ ثِقَاتٌ. وَأَخْرَجَهُ النَّسَائِيُّ مِنْ وَجْهٍ آخَرَ عَنِ ابْنِ عَبَّاسٍ، بِلَفْظِ قَالَ: «طَلِّقْهَا» قَالَ: لَا أَصْبِرُ عَنْهَا، قَالَ: «فَأَمْسِكْهَا».

"Banish her.[1]" He replied, "I am afraid my soul may desire her." He said, "Then enjoy her." [Reported by Abū Dā'ud and Al-Bazzār, and its narrators are reliable]. An-Nasā'i reported it with through another chain, from Ibn 'Abbās (ﷺ) with this wording: He said, "Divorce her." He replied, "I can not endure the desire for her." He said, "Then keep her."

(٩٤٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ سَمِعَ رَسُولَ اللهِ ﷺ يَقُولُ حِينَ نَزَلَتْ آيَةُ المُتَلَاعِنَيْنِ: «أَيُّمَا امْرَأَةٍ أَدْخَلَتْ عَلَى قَوْمٍ مَنْ لَيْسَ مِنْهُمْ فَلَيْسَتْ مِنَ اللهِ فِي شَيْءٍ، وَلَنْ يُدْخِلَهَا اللَّهُ جَنَّتَهُ، وَأَيُّمَا رَجُلٍ جَحَدَ وَلَدَهُ، وَهُوَ يَنْظُرُ إِلَيْهِ، احْتَجَبَ اللَّهُ عَنْهُ، وَفَضَحَهُ عَلَى رُؤُوسِ الأَوَّلِينَ وَالآخِرِينَ». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ وَابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

942. Narrated Abū Huraira ﷺ: He heard Allāh's Messenger ﷺ say, when the Verse[2] about invoking curses came down, "Any woman who brings into a family one who does not belong to it,[3] is not an observer of Allāh's (religion), and Allāh will not admit her into His Paradise. Likewise, Allāh will veil Himself from any man who disowns his child while he knows that it is his child, and will humiliate him in the presence of the first and last (creatures)." [Abū Dā'ud, An-Nasā'i and Ibn Mājah reported it; and Ibn Hibbān graded it *Sahih* (authentic)].

(٩٤٣) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: مَنْ أَقَرَّ بِوَلَدِهِ طَرْفَةَ عَيْنٍ فَلَيْسَ لَهُ أَنْ يَنْفِيَهُ. أَخْرَجَهُ البَيْهَقِيُّ، وَهُوَ حَسَنٌ مَوْقُوفٌ.

943. Narrated 'Umar ﷺ: If anyone acknowledges that he is the father of his child just for the blinking of an eye, he has no right to disown it.[4] [Al-Baihaqi reported it. The *Hadīth* is *Hasan* (good) and *Mawqūf* (saying of a Companion)].

---

an adulteress. Thirdly, she is not good custodian of his wealth. The first meaning is the closest to being correct. If the second meaning was correct, the accuser would have had to produce witnesses, or *Li'ān* would take place, or the woman would have been punished. However, none of this happened. On the contrary, the Prophet ﷺ ordered him to tolerate her. If the second meaning was correct, it means, the Prophet ﷺ had permitted him to be a *Dayyūth* (a man who doesn't care about the moral behavior of the women under his care).

[1] i.e., Divorce her.

[2] *Sūrat An-Nūr* 24:6.

[3] It means to give birth to an illegitimate child and to present him as legitimate child. This creates many troubles and problems in inheritance, legacy and marriage, etc.

[4] Merely on doubts one should not disown his child. Once the parentage is accepted, it cannot be denied. On account of disowning the child, on one side, he becomes an illegitimate child, and on the other, his mother is blamed for adultery and the child is deprived of heredity.

944. Narrated Abū Huraira ﷺ: A man said, "O Allāh's Messenger, my wife has given birth to a black son." He asked, "Have you any camels." He replied, "Yes." He asked, "What is their color?" He replied, "They are red." He asked, "Is there a dusky (dark) one among them?" He replied, "Yes." He asked, "How has that come about?" He replied, "It is perhaps a strain to which it has reverted (i.e. heredity)." He said, "It is perhaps a strain to which this son of yours has reverted." [Agreed upon]. A narration by Muslim has: "he was intending to disown him." Muslim concluded the *Hadīth* as follows: "He did not permit him to disown him."

(٩٤٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَجُلاً قَالَ: يَا رَسُولَ اللهِ! إِنَّ ٱمْرَأَتِي وَلَدَتْ غُلاماً أَسْوَدَ، قَالَ: «هَلْ لَكَ مِنْ إِبِلٍ؟» قَالَ: نَعَمْ، قَالَ: «فَمَا أَلْوَانُهَا؟» قَالَ: حُمْرٌ، قَالَ: «هَلْ فِيهَا مِنْ أَوْرَقَ؟» قَالَ: نَعَمْ، قَالَ: «فَأَنَّى ذَلِكَ؟» قَالَ: لَعَلَّهُ نَزَعَهُ عِرْقٌ، قَالَ: «فَلَعَلَّ ٱبْنَكَ هَذَا نَزَعَهُ عِرْقٌ». مُتَّفَقٌ عَلَيْهِ. وَفِي رِوَايَةٍ لِمُسْلِمٍ: «وَهُوَ يُعَرِّضُ بِأَن يَنْفِيَهُ» وَقَالَ فِي آخِرِهِ: «وَلَمْ يُرَخِّصْ لَهُ فِي ٱلانْتِفَاءِ مِنْهُ».

Chapter 11
AL-'IDDAH[1], *AL-IHDĀD*[2], *AL-ISTIBRA*[3], AND OTHER PERTINENT MATTERS

١١ - بَابُ العِدَّةِ وَالإِحْدَادِ وَالاسْتِبْرَاءِ وَغَيْرِ ذَلِكَ

945. Narrated Al-Miswar bin Makhrama (ﷺ): Some nights after her husband's death, Subai'a Al-Aslamiya[4] ﷺ gave birth to a child. Then she went to the Prophet ﷺ and asked permission to marry. He gave her permission and she married.' [Reported by Al-Bukhāri]. Its basic meaning is found in the two *Sahih* books of Al-Bukhāri and Muslim.

(٩٤٥) عَنِ المِسْوَرِ بْنِ مَخْرَمَةَ، أَنَّ سُبَيْعَةَ الأَسْلَمِيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا نُفِسَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِلَيَالٍ، فَجَاءَتْ إِلَى النَّبِيِّ ﷺ، فَاسْتَأْذَنَتْهُ أَنْ تَنْكِحَ، فَأَذِنَ لَهَا، فَنَكَحَتْ. رَوَاهُ البُخَارِيُّ، وَأَصْلُهُ فِي الصَّحِيحَيْنِ. وَفِي لَفْظٍ: أَنَّهَا وَضَعَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِأَرْبَعِينَ لَيْلَةً.

[1] *'Iddah* (العدة) is a period of waiting in which a woman is not allowed to remarry, after the death of her husband or divorce. There are three kinds of *'Iddah*: 1) *'Iddah* of Birth 2) *'Iddah* of Menses and 3) *'Iddah* of Months. For a pregnant woman, in either case – death of the husband or divorce – her *'Iddah* is up to the birth of the child. For example, she is divorced or her husband dies today, and the next day she gives birth to a child. Her *'Iddah* ends with the birth of child. She is allowed to marry at anytime, but as long as she is not free from the post-childbirth bleeding, it is not proper to have a sexual intercourse with her.

[2] *Ihdād* (الإحداد) is the observing of mourning, by a woman, for her husband who has died.

[3] *Istibra'* (الاستبراء) is the time of waiting, till one menstruation period has passed, in the case of a newly purchased slave-girl.

[4] Subai'a, daughter of Al-Hārith Al-Aslamiya of Banu Aslam was a *Sahābiya* and Ibn Sa'd mentioned that she was among the *Muhajirāt*. She was married to Sa'd bin Khawla, who died in Makkah during the *Hajjatul-Wadā'*, then she was married by a young man from her people. They also mentioned that she married Abū Sanābil.

A wording has: "She gave birth to a child after forty nights of her husband's death."

A wording by Muslim has: Az-Zuhri[1] said, "I think there is no harm if she marries when she is still bleeding (due to child-birth), but her husband should not go near her till she is purified."

وَفِي لَفْظٍ لِمُسْلِمٍ: قَالَ الزُّهْرِيُّ: وَلَا أَرَى بَأْساً أَنْ تَزَوَّجَ وَهِيَ فِي دَمِهَا، غَيْرَ أَنَّهُ لَا يَقْرَبُهَا زَوْجُهَا حَتَّى تَطْهُرَ.

946. Narrated 'Aisha ﷺ: Barira (ﷺ) was ordered to wait till three menstrual periods of hers have passed (before she could remarry).[2] [Reported by Ibn Mājah. Its narrators are reliable, but it is *Ma'lul* (having a hidden defect)].

(٩٤٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: أُمِرَتْ بَرِيرَةُ أَنْ تَعْتَدَّ بِثَلَاثِ حِيَضٍ. رَوَاهُ ابْنُ مَاجَهْ، وَرُوَاتُهُ ثِقَاتٌ، لٰكِنَّهُ مَعْلُولٌ.

947. Narrated Ash-Sha'bī[3] from Fātima ﷺ daughter of Qais on the authority of the Prophet ﷺ regarding a woman who was divorced by three pronouncements: "She has no right to accommodation or maintenance."[4] [Reported by Muslim].

(٩٤٧) وَعَنِ الشَّعْبِيِّ عَنْ فَاطِمَةَ بِنْتِ قَيْسٍ، عَنِ النَّبِيِّ ﷺ، فِي المُطَلَّقَةِ ثَلَاثاً لَيْسَ لَهَا سُكْنَى، وَلَا نَفَقَةَ. رَوَاهُ مُسْلِمٌ.

948. Narrated Umm 'Atiya (ﷺ): Allāh's Messenger ﷺ said, "A woman must not observe mourning for more than three nights for the one who has died, except for the four months and ten days in the

(٩٤٨) وَعَنْ أُمِّ عَطِيَّةَ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا تُحِدُّ امْرَأَةٌ عَلَى مَيِّتٍ فَوْقَ ثَلَاثٍ، إِلَّا عَلَى زَوْجٍ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً، وَلَا تَلْبَسُ ثَوْباً مَصْبُوغاً، إِلَّا ثَوْبَ عَصْبٍ، وَلَا تَكْتَحِلُ،

[1] He is Muhammad bin Muslim bin 'Ubaidullāh bin Abdullāh bin Shihāb Al-Qurashi Az-Zuhri, one of the eminent *Imāms* and *'Aalim* of Hijāz and Shām. He was among the elders of the 4th generation of *Tābi'in* and his mastery and greatness was conscientiously agreed upon. Al-Laith said that he never saw an *'Aalim* who accumulated so much knowledge like Ibn Shihāb and Mālik said that Ibn Shihāb was among the most generous people and had no equal. He died in 124 H.

[2] Barira's husband was a slave. After being manumitted from slavery, as a free woman, she was given an option concerning her wedlock. Barira (ﷺ) chose to have her previous wedlock nullified and hence she had to spend an *'Iddah* of a free woman consisting of three menstrual periods. This *Hadīth* implies that the duration of *'Iddah* thus spent is determined according to the status of the woman and not the man.

[3] He is Abū 'Amr 'Aamir bin Sharāhil bin 'Abdullah Ash-Sha'bi Al-Hamdāni Al-Kufi. He was a great *Tābi'i* and an eminent *Fiqh* scholar. Az-Zuhri said, "The *'Ulama* are four: Ibn Al-Musaiyab at Al-Madīnah, Ash-Sha'bi at Kufa, Hasan Al-Basri at Basra and Mak-hul at Shām." Ash-Sha'bi was born during 'Umar's Caliphate and it was said that he was born when six years were remaining from 'Uthmān's Caliphate.

[4] The ruling according to *Shari'a* is that in case a *Talāq* (divorce) is gradually pronounced, a man is liable to pay for a woman's accommodation and livelihood until the termination of her *'Iddah* period. A man is not liable to pay her any of the expenses concerning her food and lodging after the pronouncement of the third *Talāq* [which is irrevocable].

case of a husband;[1] and she must not wear a dyed garment except one of the type made of *'Asb* (dyed yarn)[2] or apply ***Kuhl*** (antimony), or apply perfume except for a little *Qust* or *Azfār*,[3] when she has been purified after her menstruation." [Agreed upon. The wording being of Muslim]. Abū Dā'ud and An-Nasā'i have an addition: "nor apply henna." An-Nasā'i added: "nor comb (her hair)."

وَلَا تَمَسُّ طِيباً، إِلَّا إِذَا طَهُرَتْ، نُبْذَةً مِنْ قُسْطٍ أَوْ أَظْفَارٍ». مُتَّفَقٌ عَلَيْهِ، وَهٰذَا لَفْظُ مُسْلِمٍ، وَلِأَبِي دَاوُدَ وَالنَّسَائِيِّ مِنَ الزِّيَادَةِ: «وَلَا تَخْتَضِبُ». وَلِلنَّسَائِيِّ: «وَلَا تَمْتَشِطُ».

949. Narrated Umm Salama ﷺ: I put ***Sabir*** (a type of medicine) on my eyes after Abū Salama (ﷺ) had died. So Allāh's Messenger ﷺ said, "It gives the face a glow, so apply it only at night and remove it in the daytime, and do not comb (your hair) with scent or henna,[4] for it is a dye." I asked, "What should I use when combing (my hair)?" He replied, "You should use lote-tree leaves." [Reported by Abū Dā'ud and An-Nasāi; its chain of narrators is ***Hasan*** (good)].

(٩٤٩) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: جَعَلْتُ عَلَى عَيْنِي صَبِراً، بَعْدَ أَنْ تُوُفِّيَ أَبُو سَلَمَةَ، فَقَالَ رَسُولُ اللهِ ﷺ: «إِنَّهُ يَشُبُّ الوَجْهَ، فَلَا تَجْعَلِيهِ إِلَّا بِاللَّيْلِ، وَانْزِعِيهِ بِالنَّهَارِ، وَلَا تَمْتَشِطِي بِالطِّيبِ، وَلَا بِالحِنَّاءِ فَإِنَّهُ خِضَابٌ»، قُلْتُ: بِأَيِّ شَيْءٍ أَمْتَشِطُ؟ قَالَ: «بِالسِّدْرِ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَإِسْنَادُهُ حَسَنٌ.

950. Narrated (Umm Salama) ﷺ: A woman said, "O Allāh's Messenger, my daughter's husband has died and her eye is troubling her, so may we apply ***Kuhl*** (antimony) to it?" He replied, "No." [Agreed upon].

(٩٥٠) وَعَنْهَا أَنَّ ٱمْرَأَةً قَالَتْ: يا رَسُولَ اللهِ! إِنَّ ابْنَتِي مَاتَ عَنْهَا زَوْجُهَا، وَقَدِ اشْتَكَتْ عَيْنَهَا، أَفَنَكْحُلُهَا؟ قَالَ: «لَا». مُتَّفَقٌ عَلَيْهِ.

951. Narrated Jābir ﷺ: My maternal aunt was divorced and wanted to cut down fruit from her palm-trees. A man

(٩٥١) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: طُلِّقَتْ خَالَتِي، فَأَرَادَتْ أَنْ تَجُدَّ نَخْلَهَا،

[1] The duration of *'Iddah* for a widow, (in case not pregnant) is four months and ten days. The duration for a divorced woman (non-pregnant) is three menstrual periods, provided she is young. If the divorcee is an old woman who has already entered the phase of menopause, or if she is merely a non-adult adolescent girl, then their *'Iddah* duration is three months. In case the women in the said category are widows, their *'Iddah* duration shall be similar to the ones mentioned earlier (i.e., four months and ten days).

[2] *'Asb* was a Yemeni garment which was dyed before being woven.

[3] A nice smelling substance which resembles fingernails.

[4] The instructions concerning the spending of *'Iddah* duration are that such a woman should not use perfume, antimony or colored silken clothes and should not make a decision about entering into a matrimony with a man. This ruling includes all the women in general, whether they are the non-adults, the young or the old ones.

forbade her to go out, so she went to the Prophet ﷺ and he said, "Certainly, cut down fruit from your palm-trees, for perhaps you may give *Sadaqa* (charity) or do an act of kindness."[1] [Reported by Muslim].

فَزَجَرَهَا رَجُلٌ أَنْ تَخْرُجَ، فَأَتَتِ النَّبِيَّ ﷺ، فَقَالَ: «بَلْ جُدِّي نَخْلَكِ، فَإِنَّكِ عَسَى أَنْ تَصَدَّقِي، أَوْ تَفْعَلِي مَعْرُوفاً». رَوَاهُ مُسْلِمٌ.

952. Narrated Furai'a, daughter of Mālik[2] : Her husband had gone out in search of some slaves of his and they killed him. She said, "I asked Allāh's Messenger ﷺ to be allowed to return to my family, for my husband had not left for me a house which belonged to him, nor had he left any maintenance." He then said, "Yes, (I agree)," but when I was in the courtyard, he called me and said, "Stay in your house till the prescribed period expires."[3] She said, "I observed the period in it for four months and ten days." She said, "Afterwards Uthmān gave judgement in accordance with that." [Ahmad and *Al-Arba'a* reported it. Al-Tirmidhi, Adh-Dhuhli, Ibn Hibbān, Al-Hākim and others graded it *Sahih* (authentic)].

(٩٥٢) وَعَنْ فُرَيْعَةَ بِنْتِ مَالِكٍ، أَنَّ زَوْجَهَا خَرَجَ فِي طَلَبِ أَعْبُدٍ لَهُ، فَقَتَلُوهُ، قَالَتْ: فَسَأَلْتُ رَسُولَ اللهِ ﷺ أَنْ أَرْجِعَ إِلَى أَهْلِي، فَإِنَّ زَوْجِي لَمْ يَتْرُكْ لِي مَسْكَناً يَمْلِكُهُ، وَلَا نَفَقَةً، فَقَالَ: نَعَمْ، فَلَمَّا كُنْتُ فِي الحُجْرَةِ نَادَانِي، فَقَالَ: امْكُثِي فِي بَيْتِكِ حَتَّى يَبْلُغَ الكِتَابُ أَجَلَهُ، قَالَتْ: فَاعْتَدَدْتُ فِيهِ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً، قَالَتْ: فَقَضَى بِهِ بَعْدَ ذٰلِكَ عُثْمَانُ. أَخْرَجَهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَالذُّهْلِيُّ وَابْنُ حِبَّانَ وَالحَاكِمُ وَغَيْرُهُمْ.

953. Narrated Fātima (رضي الله عنها) daughter of Qais: I said, "O Allāh's Messenger, my husband has divorced me by three pronouncements (of divorce) and I am afraid that I may get broken into. Hence, he commanded her, and she moved (to another house)." [Reported by Muslim].

(٩٥٣) وَعَنْ فَاطِمَةَ بِنْتِ قَيْسٍ قَالَتْ: قُلْتُ: يَا رَسُولَ اللهِ! إِنَّ زَوْجِي طَلَّقَنِي ثَلَاثاً، وَأَخَافُ أَنْ يُقْتَحَمَ عَلَيَّ، قَالَ: فَأَمَرَهَا فَتَحَوَّلَتْ. رَوَاهُ مُسْلِمٌ.

954. Narrated 'Amr bin Al-'Aas رضي الله عنه: "Do not confuse us about our Prophet's *Sunnah*: The period that a slave-woman, whose master dies, and she has

(٩٥٤) وَعَنْ عَمْرِو بْنِ العَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَا تُلْبِسُوا عَلَيْنَا، سُنَّةُ نَبِيِّنَا: عِدَّةُ أُمِّ الوَلَدِ، إِذَا تُوُفِّيَ عَنْهَا سَيِّدُهَا، أَرْبَعَةُ

---

[1] The women are instructed to spend their *'Iddah* duration within the houses of their husbands whether it is a case of divorce or widowhood. However, a woman upon whom the *Talāq* has been pronounced three times is an exception, for such a woman shall not live in her husband's house.

[2] She is Furai'a, daughter of Mālik bin Sinān Al-Khudria, the sister of the famous *Sahābi* Sa'īd Al-Khudri. She witnessed the *Bai'atur-Ridwān*.

[3] A widow must spend the days of her *'Iddah* in the house of her late husband. Such is the ruling given by the majority of the religious scholars.

begotten a child from him must wait for, is four months and ten days."[1] [Reported by Ahmad, Abū Dā'ud and Ibn Mājah. Al-Hākim graded it *Sahih* (authentic), but Ad-Dāraqutni considered it defective due to *Inqitā'* (broken link)].

أَشْهُرٍ وَعَشْرٌ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَابْنُ مَاجَهْ، وَصَحَّحَهُ الحَاكِمُ، وَأَعَلَّهُ الدَّارَقُطْنِيُّ بِالانْقِطَاعِ.

955. Narrated 'Aisha ﷺ: *Al-Aqrā'* is the period of a woman's purity (which occurs between two menses).[2] [Mālik, Ahmad and An-Nasā'i reported it in the course of a story with a *Sahih* (authentic) chain of narrators].

(٩٥٥) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: إِنَّمَا الأَقْرَاءُ الأَطْهَارُ. أَخْرَجَهُ مَالِكٌ [وَأَحْمَدُ وَالنَّسَائِيُّ] فِي قِصَّةٍ، بِسَنَدٍ صَحِيحٍ.

956. Narrated Ibn 'Umar ﷺ: The divorce of a slave-woman occurs by saying it (the divorce word) twice, and her *'Iddah* (waiting period) is two menses.[3] [Reported by Ad-Dāraqutni. He reported it as *Marfū'* (a saying of the Prophet) and graded it *Da'īf* (weak)]. Abū Dā'ud, At-Tirmidhi and Ibn Mājah reported the aforesaid *Hadīth* from the narration of 'Aisha (ﷺ), which Al-Hākim graded as *Sahih* (authentic), but the *Hadīth* scholars disagreed with him, and they agreed that it is *Da'if* (weak).

(٩٥٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: طَلَاقُ الأَمَةِ تَطْلِيقَتَانِ، وَعِدَّتُهَا حَيْضَتَانِ. رَوَاهُ الدَّارَقُطْنِيُّ، وَأَخْرَجَهُ مَرْفُوعاً، وَضَعَّفَهُ، وَأَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ وَابْنُ مَاجَهْ مِنْ حَدِيثِ عَائِشَةَ، وَصَحَّحَهُ الحَاكِمُ، وَخَالَفُوهُ، فَاتَّفَقُوا عَلَىٰ ضَعْفِهِ.

957. Narrated Ruwaifi' bin Thābit[4] ﷺ: The Prophet ﷺ said, "It is not lawful for a man who believes in Allāh and the Last Day to water what another person

(٩٥٧) عَنْ رُوَيْفِعِ بْنِ ثَابِتٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «لَا يَحِلُّ لِامْرِىءٍ يُؤْمِنُ بِاللهِ وَاليَوْمِ الآخِرِ أَنْ يَسْقِيَ مَاءَهُ

[1] As to the duration of *'Iddah* in regard to a *Ummul-Walad* (a slave-woman who has already mothered a child for her master), if she is widowed, some scholars are of the opinion that it is four months and ten days, whereas some of them maintain that it is one menstrual period only, a ruling which is correct.

[2] There are a few words in Arabic which have two meanings which are opposite to each other. Such words are known as *Dhawātul-Addad* (the words that are their own antonyms). One such word is *Qar'* (القرء) which stands for menstrual blood or period, and at the same time also means *Tuhr* i.e., the state of being free from impurities. 'Aisha ﷺ construed the same to be as *Tuhr* whereas its predominant connotation happens to be that of a menstrual blood cycle.

[3] This makes us know that a male-slave may consummate his divorce by pronouncing it two times, whereas the duration of a female-slave's *'Iddah* comprises her two menstrual cycles.

[4] Ruwaifi' bin Thabit Al-Ansāri of Banu Mālik bin An-Najār and was counted among the settlers in Egypt. He died in the year 46 H.

has sown[1] " [Abū Dā'ud and At-Tirmidhi reported it. Ibn Hibbān graded it *Sahih* (authentic), and Al-Bazzār graded it *Hasan* (good)].

زَرْعَ غَيْرِهِ». أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَحَسَّنَهُ الْبَزَّارُ.

958. Narrated 'Umar ﷺ regarding a wife of a lost husband: She should wait for four years and then observe the *'Iddah* for four months and ten days.[2] (before she may remarry). [Mālik and Ash-Shāfi'i reported it].

(٩٥٨) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فِي امْرَأَةِ الْمَفْقُودِ، تَرَبَّصُ أَرْبَعَ سِنِينَ، ثُمَّ تَعْتَدُّ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً. أَخْرَجَهُ مَالِكٌ وَالشَّافِعِيُّ.

959. Narrated Al-Mughira bin Shu'ba ﷺ: Allāh's Messenger ﷺ said, "The spouse of a lost husband remains his wife till she gets a certain news about his death." [Ad-Dāraqutni reported it with a *Da'if* (weak) chain of narrators].

(٩٥٩) وَعَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «امْرَأَةُ الْمَفْقُودِ امْرَأَتُهُ حَتَّى يَأْتِيَهَا الْبَيَانُ». أَخْرَجَهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ.

960. Narrated Jābir ﷺ: Allāh's Messenger ﷺ said, "A man must not spend the night in the house of woman[3] unless he is her husband or a *Mahram.*"[4] [Reported by Muslim].

(٩٦٠) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَبِيتَنَّ رَجُلٌ عِنْدَ امْرَأَةٍ، إِلَّا أَنْ يَكُونَ نَاكِحاً، أَوْ ذَا مَحْرَمٍ». أَخْرَجَهُ مُسْلِمٌ.

961. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ said, "A man must not be alone with a woman except in the presence of a *Mahram*." [Al-Bukhāri reported it].

(٩٦١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «لَا يَخْلُوَنَّ رَجُلٌ بِامْرَأَةٍ إِلَّا مَعَ ذِي مَحْرَمٍ». أَخْرَجَهُ الْبُخَارِيُّ.

962. Narrated Abū Sa'īd ﷺ: The Prophet ﷺ said in regard to the captives taken

(٩٦٢) وَعَنْ أَبِي سَعِيدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ فِي سَبَايَا أَوْطَاسٍ: «لَا تُوطَأُ

[1] It may imply two meanings. First of all, one should not commit fornication. Secondly, one should not perform a sexual intercourse with a female-slave who is already pregnant by her ex-husband or previous master until she gives birth to a child.

[2] A woman whose husband is reported to be lost, shall have to wait four years (before she can remarry). This waiting period of four years was determined by 'Umar رضي الله عنه. Later, the Companions of the Prophet ﷺ had a consensus to this effect and the religious scholars also pronounced their judgement based on this ruling.

[3] This *Hadīth* informs us that it is forbidden for a man to be in seclusion with a non-Mahram woman. The reason for this ruling, also mentioned in another *Hadīth,* is that Satan interferes between them and coaxes them into committing the abominable act of fornication. Even if they refrain from committing this unlawful act, they are still threatened to be accused as such and thus fall into disrepute. It is also an obligation to avoid such suspicious situations.

[4] *Mahram* is the one who is so closely related to a woman that marriage between them is permanently forbidden.

at Autās, "There must be no intercourse with a pregnant woman till she gives birth, or with one who is not pregnant till she has had one menstrual period." [Abū Dā'ud reported it, and Al-Hākim graded it *Sahih* (authentic)]. The aforesaid *Hadīth* has a supporting narration from Ibn 'Abbās (ﷺ) reported by Ad-Dāraqutni.

حَامِلٌ حَتَّى تَضَعَ، وَلَا غَيْرُ ذَاتِ حَمْلٍ، حَتَّى تَحِيضَ حَيْضَةً». أَخْرَجَهُ أَبُو دَاوُدَ، وَصَحَّحَهُ الحَاكِمُ، وَلَهُ شَاهِدٌ عَنِ ابْنِ عَبَّاسٍ فِي الدَّارَقُطْنِيِّ.

963. Narrated Abū Huraira ﷺ: The Prophet ﷺ said, "The child (born out of wedlock) belongs to the one on whose bed it is born,[1] and stoning to death is for the fornicator." [Agreed upon, regarding Abū Huraira's *Hadīth*]. The aforesaid *Hadīth* is also a part of 'Aisha's *Hadīth* in the course of a story, and from Ibn Mas'ūd by An-Nasā'i, and from 'Uthmān by Abū Dā'ud.

(٩٦٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «الْوَلَدُ لِلْفِرَاشِ، وَلِلْعَاهِرِ الْحَجَرُ». مُتَّفَقٌ عَلَيْهِ مِنْ حَدِيثِهِ، وَمِنْ حَدِيثِ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا فِي قِصَّةٍ، وَعَنِ ابْنِ مَسْعُودٍ عِنْدَ النَّسَائِيِّ وَعَنْ عُثْمَانَ عِنْدَ أَبِي دَاوُدَ.

Chapter 12
AR-RIDA'
(SUCKLING OF ONE'S CHILD BY A WOMAN OTHER THAN HIS MOTHER)

١٢ - بَابُ الرِّضَاعِ

964. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ said, "One or two sucks do not make (marriage) unlawful."[2] [Muslim reported it].

(٩٦٤) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تُحَرِّمُ المَصَّةُ [وَلَا] المَصَّتَانِ». أَخْرَجَهُ مُسْلِمٌ.

[1] It means that a woman's child will always be attributed to her husband and shall remain in his custody. If someone claims that he had an unlawful sexual intercourse with a certain woman and that the child which is in her custody belongs to him – in this situation, the child will still belong to the woman's husband and so long as the man in question has confessed to committing an act of fornication, *Shari'a* ruling shall be enforced on him. No ruling, however, shall be pronounced on the woman merely on the statement of the fornicator unless four witnesses support the same. Otherwise, a ruling of calumny (accusing her falsely) shall also be pronounced against him.

[2] This *Hadīth* tells us that the suckling baby's act of sucking on a woman's milk once or twice does not confirm and prove *Tahrīm* (prohibition). A *Hadīth* narrated by 'Aisha ﷺ clearly states that in order to prove such a prohibition a woman has to breast feed a baby at least five times.

965. Narrated ('Aisha) ؓ: Allāh's Messenger ﷺ said, "Be sure (you women) who your brothers[1] are, for suckling is that which is the result of hunger (i.e. when milk is the child's only food)." [Agreed upon].

(٩٦٥) وَعَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «انْظُرْنَ مَنْ إِخْوَانُكُنَّ، فَإِنَّمَا الرَّضَاعَةُ مِنَ الْمَجَاعَةِ». مُتَّفَقٌ عَلَيْهِ.

966. Narrated ('Aisha) ؓ: Sahla (ؓ) daughter of Suhail[2] (ؓ) came and said, "O Allāh's Messenger, Sālim[3] the manumitted slave of Abū Hudhiafa[4] lives with us in our house; and he has attained what men attain (i.e. puberty). He said, "Suckle him so you would become unlawful[5] to him (in marriage)." [Reported by Muslim].

(٩٦٦) وَعَنْهَا قَالَتْ: جَاءَتْ سَهْلَةُ بِنْتُ سُهَيْلٍ، فَقَالَتْ: يَا رَسُولَ اللهِ! إِنَّ سَالِماً مَوْلَى أَبِي حُذَيْفَةَ مَعَنَا، فِي بَيْتِنَا، وَقَدْ بَلَغَ مَا يَبْلُغُ الرِّجَالُ، فَقَالَ: «أَرْضِعِيهِ، تَحْرُمِي عَلَيْهِ». رَوَاهُ مُسْلِمٌ.

967. Narrated ('Aisha) ؓ: Aflah [her foster suckling uncle], brother of Abūl-Qu'ais[6], came and asked her permission to enter after the *Hijāb*

(٩٦٧) وَعَنْهَا أَنَّ أَفْلَحَ أَخَا أَبِي الْقُعَيْسِ جَاءَ يَسْتَأْذِنُ عَلَيْهَا بَعْدَ الْحِجَابِ، قَالَتْ: فَأَبَيْتُ أَنْ آذَنَ لَهُ، فَلَمَّا جَاءَ رَسُولُ اللهِ ﷺ: أَخْبَرْتُهُ الَّذِي

---

[1] It happened that a certain person was sitting by 'Aisha ؓ, while the Prophet ﷺ came. He (the Prophet ﷺ) did not like the idea of someone sitting with her in seclusion. 'Aisha ؓ informed the Prophet ﷺ that the person was her foster brother (in the sense that both of them were breast-fed by the same woman in their infancy). Upon hearing this, the Prophet ﷺ observed a general instruction to the effect that one should thoroughly investigate, and confirm, the validity of such a statement in relation to one's breast-fed brothers. This is because only breast-feeding in one's infancy – when the child has no other source of food except the breast milk – proves this prohibition. This was a special instruction applicable to such a case only, excluding others.

[2] Sahla, daughter of Suhail bin 'Amr Al-Qurashiya was from Banu 'Aamir bin Lu'ai. She became a Muslim early and migrated with Abū Hudhaifa to Abyssinia (Ethiopia) and bore for him there Muhammad bin Abū Hudhaifa.

[3] He is Sālim bin Ma'qil, the manumitted slave of Abū Hudhaifa. He was bought by a woman of *Al-Ansār* called Laila or Thubaita, daughter of Ya'ār, and when Abū Hudhaifa married her she came along with Sālim whom Abū Hudhaifa fostered and made him among his allies. Sālim witnessed Badr and the Prophet ﷺ ordered the *Sahāba* to listen to the recitation of the Qur'ān from four people and among them was this Sālim. He used to lead the ***Muhajirin*** including 'Umar رضي الله عنه in prayers at Qubā' Mosque before the arrival of the Prophet ﷺ.

[4] It was said that his name was Muhashim or Hāshim bin 'Utba bin Rabi'a bin 'Abd Shams. He was among the virtuous *Sahāba* and witnessed Badr, Uhud and all the other important battles. He was martyred in the battle of Al-Yamama at the age of 53 years.

[5] The Majority of the *'Ulama* hold the opinion that the suckling which makes marriage unlawful between two people is the one that takes place within the first two years of age and the case of Sālim in this ***Hadīth*** is an exception, not applicable to anyone after him.

[6] He is Abul-Ja'd Aflah, the manumitted slave of Allāh's Messenger ﷺ or the manumitted slave of Umm Salama. His brother Abul-Qu'ais was called Al-Ja'd or Wa'il bin Aflah Al-Ash'ari, so his brother Aflah's name is the same as that of his father. 'Aisha ؓ has two uncles-in-suckling one of them being her father Abū Bakr's brother-in-suckling who died during the

(was instituted for women). She said, "I refused to allow him in and when Allāh's Messenger ﷺ came, I told him about what I had done, so he commanded me to give him permission to enter where I am and said, 'He is your paternal uncle.' "[1] [Agreed upon].

صَنَعْتُهُ، فَأَمَرَنِي أَنْ آذَنَ لَهُ عَلَيَّ، وَقَالَ: إِنَّهُ عَمُّكِ. مُتَّفَقٌ عَلَيْهِ.

968. Narrated ('Aisha) ﷺ: In what was sent down in the Qur'ān was 'ten known sucklings made marriage unlawful'. Afterwards, they were abrogated by 'five known ones.' Then, when Allāh's Messenger ﷺ died these words were among what was recited in the Qur'ān. [Reported by Muslim].

(٩٦٨) وَعَنْهَا قَالَتْ: كَانَ فِيمَا أُنْزِلَ الْقُرْآنُ عَشْرُ رَضَعَاتٍ مَعْلُومَاتٍ يُحَرِّمْنَ، ثُمَّ نُسِخْنَ بِخَمْسٍ مَعْلُومَاتٍ، فَتُوُفِّيَ رَسُولُ اللهِ ﷺ وَهِيَ فِيمَا يُقْرَأُ مِنَ الْقُرْآنِ. رَوَاهُ مُسْلِمٌ.

969. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ was offered to marry the daughter of Hamza. He said, "She is unlawful to me for she is the daughter of my brother in suckling; and what is unlawful by reason of blood relationship [2] is unlawful by reason of suckling relationship" [Agreed upon].

(٩٦٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ أُرِيدَ عَلَى ابْنَةِ حَمْزَةَ، فَقَالَ: «إِنَّهَا لَا تَحِلُّ لِي، إِنَّهَا ابْنَةُ أَخِي مِنَ الرَّضَاعَةِ وَيَحْرُمُ مِنَ الرَّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ». مُتَّفَقٌ عَلَيْهِ.

970. Narrated Umm Salama ﷺ: Allāh's Messenger ﷺ said, "The suckling that makes marriage unlawful is that which reaches the intestines (i.e. nourishes the child), and is taken before the (two years) time of weaning." [Reported by At-Tirmidhi, he and Al-Hākim graded it *Sahih* (authentic)].

(٩٧٠) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَحْرُمُ مِنَ الرَّضَاعِ إِلَّا مَا فَتَقَ الأَمْعَاءَ، وَكَانَ قَبْلَ الفِطَامِ». رَوَاهُ التِّرْمِذِيُّ، وَصَحَّحَهُ هُوَ وَالحَاكِمُ.

971. Narrated Ibn 'Abbās ﷺ: Suckling applies only (to infants) during the first two years (of their life). [Reported by

(٩٧١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: لَا رَضَاعَ إِلَّا فِي الحَوْلَيْنِ. رَوَاهُ

lifetime of the Prophet ﷺ and the second one being Aflah the brother of her father-in-suckling Abul-Qu'ais.

[1] A woman, on whose milk an infant is fed, shall be considered and regarded as its real mother, just as if she had herself physically given birth to him. Hence, her husband shall be considered as his father and all matters which are prohibited by parental lineage shall similarly be effective on such breast-feeding infants in relation to their foster parents.

[2] One must also bear in mind that an infant shall be related to his foster mother as well as her relatives. However, she will have no relationship with the relatives of the infant. Hence, the rulings (of prohibition of marriage, etc.) applicable to the suckling child will not be applicable to his blood relatives.

Ad-Dāraqutni and Ibn 'Adi as *Marfū'* (a saying of the Prophet) and *Mawqūf* (a saying of a Companion). However, they both held that the stronger view is that it is *(Mawqūf)* (i.e. saying of Ibn 'Abbas].

الدَّارَقُطْنِيُّ وَابْنُ عَدِيٍّ مَرْفُوعاً وَمَوْقُوفاً، وَرَجَّحَا المَوْقُوفَ.

972. Narrated Ibn Mas'ūd ﷺ: Allāh's Messenger ﷺ said, "The only suckling (to be considered) is that which gives life to the bones and causes the flesh to grow." [Abū Dā'ud reported it].

(٩٧٢) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا رَضَاعَ إِلَّا مَا أَنْشَزَ العَظْمَ، وَأَنْبَتَ اللَّحْمَ». أَخْرَجَهُ أَبُو دَاوُدَ.

973. Narrated 'Uqba bin Al-Hārith[1] : He married Umm Yahya,[2] daughter of Abū Ihāb, and a woman came and said, "I have suckled both of you." So he asked the Prophet ﷺ and he replied, "How (can you hesitate) while it has been said (that you are foster brothers and sisters)?"[3] 'Uqba therefore separated from her and she married another husband. [Al-Bukhāri reported it].

(٩٧٣) وَعَنْ عُقْبَةَ بْنِ الحَارِثِ أَنَّهُ تَزَوَّجَ أُمَّ يَحْيَى بِنْتَ أَبِي إِهَابٍ، فَجَاءَتِ امْرَأَةٌ، فَقَالَتْ قَدْ أَرْضَعْتُكُمَا، فَسَأَلَ النَّبِيَّ ﷺ، فَقَالَ: «كَيْفَ؟ وَقَدْ قِيلَ»، فَفَارَقَهَا عُقْبَةُ، وَنَكَحَتْ زَوْجاً غَيْرَهُ. أَخْرَجَهُ البُخَارِيُّ.

974. Narrated Ziyād As-Sahmi[4] : Allāh's Messenger ﷺ forbade that a stupid woman may be asked to suckle an infant. [Abū Dā'ud reported it. It is *Mursal* (missing link after the *Tābi'i*) and Ziyād is not a *Sahābi*].

(٩٧٤) وَعَنْ زِيَادٍ السَّهْمِيِّ قَالَ: نَهَى رَسُولُ اللهِ ﷺ أَنْ تُسْتَرْضَعَ الحُمْقَى. أَخْرَجَهُ أَبُو دَاوُدَ. وَهُوَ مُرْسَلٌ، وَلَيْسَتْ لِزِيَادٍ صُحْبَةٌ.

[1] He was called Sirwa'ta 'Uqba bin Al-Hārith bin 'Aamir bin Naufal bin 'Abd Manāf Al-Makki. He was a *Sahābi* among those who became Muslims during *Fath Makkah* and he lived up to after the fifties of the Hijra.

[2] Her name is Ghaniya, daughter of Abū Ihāb bin 'Uwair At-Tamimi. It was also said that her name was Zainab.

[3] This *Hadīth* lets us know that in order to prove the breast-feeding relationship (brotherhood or sisterhood between two persons established as such), just a single evidence of a (the breast-feeding) woman is sufficient. This also shows that evidence provided by a female, in the matters concerning women, is stronger and more authentic than the one given by her male counterpart.

[4] It is mentioned in *At-Taqrib* that he is a *Tābi'i* of the third generation and is unconfirmed (as a reliable reporter). He reported a *Hadīth* which is *Mursal*. It is also said that he was a manumitted slave of 'Amr bin Al-'Aas. Both the authors of *Usud Al-Ghāba* and *Al-Isti'āba* did not mention him among the *Sahāba*.

Chapter 13 MAINTENANCE

١٣ - بَابُ النَّفَقَاتِ

975. Narrated 'Aisha ﷺ: Hind daughter of 'Utba[1] – wife of Abū Sufyān[2] – came to Allāh's Messenger ﷺ and said, "O Allāh's Messenger, Abū Sufyān is a miser who does not give me and my sons enough maintenance, except what I take from his wealth without his knowledge. Is there any blame on me for doing this?" He replied, "Take from his wealth what is reasonable and enough for you and your sons."[3] [Agreed upon].

(٩٧٥) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: دَخَلَتْ هِنْدٌ بِنْتُ عُتْبَةَ، ٱمْرَأَةُ أَبِي سُفْيَانَ، عَلَىٰ رَسُولِ اللهِ ﷺ، فَقَالَتْ: يَا رَسُولَ اللهِ! إِنَّ أَبَا سُفْيَانَ رَجُلٌ شَحِيحٌ، لَا يُعْطِينِي مِنَ ٱلنَّفَقَةِ مَا يَكْفِينِي، وَيَكْفِي بَنِيَّ، إِلَّا مَا أَخَذْتُ مِنْ مَّالِهِ بِغَيْرِ عِلْمِهِ، فَهَلْ عَلَيَّ فِي ذٰلِكَ مِنْ جُنَاحٍ؟ فَقَالَ: «خُذِي مِنْ مَالِهِ بِالْمَعْرُوفِ مَا يَكْفِيكِ، وَيَكْفِي بَنِيكِ». مُتَّفَقٌ عَلَيْهِ.

976. Narrated Tāriq[4] Al-Muhāribi (ﷺ): We arrived at Al-Madīnah when Allāh's Messenger ﷺ was standing on the *Minbar* addressing the people and saying, "The hand of the giver is the upper one,[5] and spend first on those who are dependent on you: your mother and father, your sister and

(٩٧٦) وَعَنْ طَارِقٍ الْمُحَارِبِيِّ، قَالَ: قَدِمْنَا الْمَدِينَةَ، فَإِذَا رَسُولُ اللهِ ﷺ قَائِمٌ عَلَى الْمِنْبَرِ، يَخْطُبُ النَّاسَ، وَيَقُولُ: «يَدُ الْمُعْطِي الْعُلْيَا، وَابْدَأْ بِمَنْ تَعُولُ، أُمَّكَ، وَأَبَاكَ، وَأُخْتَكَ، وَأَخَاكَ، ثُمَّ أَدْنَاكَ فَأَدْنَاكَ». رَوَاهُ النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالدَّارَقُطْنِيُّ.

[1] Hind bint 'Utba bin Rabi'a bin 'Abd Shams became a Muslim in the year of *Al-Fath* in Makkah after her husband Abū Sufyān became a Muslim in the year of *Al-Fath* in Makkah. The killing of her father 'Utba, her uncle Shaiba and her brother Al-Walid at Badr saddened her a lot so when Hamza was killed at Uhud by the *Mushrikūn*, she opened up his body, chewed his liver and spat it out. It was reported that she died in Muharram 14 H.

[2] His name was Sakhr bin Harb bin Umaiya bin 'Abd Shams who held the flag of the *Kuffār* and was their leader in their fight against the Prophet ﷺ. He became a Muslim on the day of *Fath Makkah* when Al-'Abbās took him to the Prophet ﷺ before entering Makkah and he later on became a good Muslim. He died during the caliphate of 'Uthmān in 32 H.

[3] The purpose of citing this *Hadīth* here is to demonstrate that it is an obligation on a man to bear the expenses incurred by his wife and children. It also shows that in case someone denies someone else his lawful claims or rights that he is legally entitled to, then such a person is permitted to secure them even by other means. In other words, if someone is deprived of his lawful entitlements by way of oppression, he may resort to other means for the redemption of his rights.

[4] Tāriq bin 'Abdullah Al-Muhāribi was a *Sahābi* who reported some *Ahadīth*. He descended from Muhārib bin Khasfa, a clan of Banu Ghatafān.

[5] A giving hand is better than a receiving one. One should avoid borrowing money as far as possible. This *Hadīth* does not mention wife and children as they are already included in the expenses. This further elaborates that a rich man's family (according to Islamic law) includes his poor brothers and sisters so that they may live well, without any financial difficulty.

brother, then your relatives in order of their closeness to you." [Reported by An-Nasā'i. Ibn Hibbān and Ad-Dāraqutni graded it *Sahih* (authentic)].

977. Narrated Abū Huraira ؓ: Allāh's Messenger ﷺ said, "A slave is entitled to his food and clothing,[1] and he should not be burdened except with the work that he is capable of doing." [Reported by Muslim].

(٩٧٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لِلْمَمْلُوكِ طَعَامُهُ وَكِسْوَتُهُ، وَلَا يُكَلَّفُ مِنَ العَمَلِ إِلَّا مَا يُطِيقُ». رَوَاهُ مُسْلِمٌ.

978. Narrated Hakim bin Mu'āwiya Al-Qushairi on his father's authority ؓ: I asked, "O Allāh's Messenger, what is the right of the wife of one of us upon her husband?" He replied, "That you should give her food when you eat, and clothe her when you clothe yourself, and do not strike her on the face and do not revile her." [The narrator narrated the rest of the *Hadīth* that has been mentioned in the chapter on the treatment of wives].

(٩٧٨) وَعَنْ حَكِيمِ بْنِ مُعَاوِيَةَ القُشَيْرِيِّ، عَنْ أَبِيهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قُلْتُ: يَا رَسُولَ اللهِ! مَا حَقُّ زَوْجَةِ أَحَدِنَا عَلَيْهِ؟ قَالَ: «أَنْ تُطْعِمَهَا إِذَا طَعِمْتَ، وَتَكْسُوَهَا إِذَا اكْتَسَيْتَ، وَلَا تَضْرِبِ الوَجْهَ، وَلَا تُقَبِّحْ» - الْحَدِيثَ - وَتَقَدَّمَ فِي عِشْرَةِ النِّسَاءِ.

979. Narrated Jābir ؓ: The Prophet ﷺ – in the *Hadīth* of pilgrimage which is long – said in regard to women, "They (women) have rights over you (the men) to provide them with their sustenance and clothing in a reasonable[2] manner." [Muslim reported it].

(٩٧٩) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، فِي حَدِيثِ الحَجِّ بِطُولِهِ، قَالَ فِي ذِكْرِ النِّسَاءِ: «وَلَهُنَّ عَلَيْكُمْ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالمَعْرُوفِ». أَخْرَجَهُ مُسْلِمٌ.

980. Narrated 'Abdullāh bin 'Umar ؓ: Allāh's Messenger ﷺ said, "It is enough for a person to be considered sinful, that he neglects those whom he is

(٩٨٠) وَعَنْ عَبْدِ اللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «كَفَى بِالمَرْءِ إِثْماً أَنْ يُضَيِّعَ مَنْ يَقُوتُ». رَوَاهُ

[1] The better way of conduct is that one should offer one's male or female slave exactly the same kind and quality of food he himself partakes of, while the same is not an obligation on him. However, it is an obligation on the master to provide them with the bare minimum necessities such as food and clothes. It further informs us that no assignment should be given to a male or female slave that far exceeds their capacity. If their master forces them to undertake such an assignment, there is no obligation on them to comply with such an instruction of their master.

[2] The purpose of citing this *Hadīth* here is that the expenses should be taken into consideration in accordance with the financial status of a man. If a man is rich, his wife may claim an increased amount of expenditure money, as befits his wealthy status. If he is poor, she must claim her expenses according to his finances.

responsible to sustain."[1] [Reported by An-Nasā'i]. Muslim has this wording: "... to withhold (food) from the one whose food he possesses."

النَّسَآئِيُّ، وَهُوَ عِنْدَ مُسْلِمٍ بِلَفْظِ «أَنْ يَحْبِسَ عَمَّنْ يَمْلِكُ قُوتَهُ».

981. Narrated Jābir ﷺ in a *Hadīth* which he attributed to the Prophet ﷺ regarding a pregnant (woman) whose husband died: "She has no maintenance rights."[2] [Al-Baihaqi reported it. Its narrators are reliable, but Al-Baihaqi said, "The correct narration is that which is *Mawqūf*"(a saying of a Companion)]. It was established that no maintenance is due (to a woman who was divorced by three pronouncements) in the *Hadīth* of Fātima (ﷺ) daughter of Qais, which has preceded. [Reported by Muslim].

(٩٨١) وَعنْ جَابِرٍ، يَرْفَعُهُ، فِي الحَامِلِ ٱلْمُتَوَفَّى عَنْهَا زَوْجُهَا، قَالَ: لَا نَفَقَةَ لَهَا. أَخْرَجَهُ البَيْهَقِيُّ، وَرِجَالُهُ ثِقَاتٌ، لَكِن قَالَ: المَحْفُوظُ وَقْفُهُ، وَثَبَتَ نَفْيُ النَّفَقَةِ فِي حَدِيثِ فَاطِمَةَ بِنْتِ قَيْسٍ، كَمَا تَقَدَّمَ، رَوَاهُ مُسْلِمٌ.

982. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "The upper hand is better than the lower one, and one of you should spend first on those he is responsible to provide for, lest a woman[3] would say, 'Feed me or divorce me.'" [Reported by Ad-Dāraqutni, and its chain of narrators is *Hasan* (good)].

(٩٨٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «اليَدُ العُلْيَا خَيْرٌ مِنَ اليَدِ السُّفْلَى، وَيَبْدَأُ أَحَدُكُمْ بِمَنْ يَعُولُ، تَقُولُ المَرْأَةُ: أَطْعِمْنِي أَوْ طَلِّقْنِي». رَوَاهُ الدَّارَقُطْنِيُّ، وَإِسْنَادُهُ حَسَنٌ.

983. Narrated Sa'īd bin Al-Musaiyab regarding a man who finds nothing to spend on his wife: "They are to be separated." Reported by Sa'īd bin

(٩٨٣) وَعَنْ سَعِيدِ بْنِ المُسَيَّبِ، فِي الرَّجُلِ لَا يَجِدُ مَا يُنْفِقُ عَلىٰ أَهْلِهِ، قَالَ: يُفَرَّقُ بَيْنَهُمَا. أَخْرَجَهُ سَعِيدُ بْنُ مَنْصُورٍ، عَنْ سُفْيَانَ، عَنْ أَبِي

[1] This makes it known that it is an enormous sin to not to cater to the needs of one's kith and kin. The ones whose expenditure is binding on a man are his wife, children, his male and female slaves and his parents.

[2] A non-pregnant, thrice divorced woman, by a common consensus, is neither entitled to a house or expenses. A pregnant, thrice divorced woman is only entitled to her living expenses and not the house. A non-pregnant widow is only entitled to a house and not the expenses. A pregnant widow is entitled to a house, there is a difference of opinions among the scholars whether or not is she entitled to her living expenses. The discussion concerning the boarding and lodging prolongs concerning the woman during *'Iddah* (i.e., waiting period). Once her *'Iddah* period is over, she is not entitled to anything at all.

[3] This *Hadīth* tells us that in case a man does not or cannot meet the living expenses of his spouse, there must be a separation between them if his spouse demands such a separation. However, if a woman is willing to be patient with him through the thick and thin of it, great shall be her reward.

Mansūr, from Sufyān,[1] from Abū Az-Zinād,[2] from Sa'īd bin Al-Musaiyab. He said, "I asked Sa'īd (bin Al-Musaiyab), 'Is this *Sunnah*?' And he replied, 'Yes, it is *Sunnah*!'" [This *Hadīth* is a strong *Mursal* (missing link after the *Tābi'i*)].

الزِّنَادِ، عَنْهُ، قَالَ: قُلْتُ لِسَعِيدٍ: سُنَّةٌ؟ فَقَالَ: سُنَّةٌ. وَهٰذَا مُرْسَلٌ قَوِيٌّ.

984. Narrated 'Umar ﷺ: He wrote (letters) to the commanders of the armies regarding some men (soldiers) who have been absent from their wives, that they should impose upon them to spend on their wives or divorce them; and if they divorce them they should then send the maintenance [3] which they have withheld. [Ash-Shāfi'i reported it, then Al-Baihaqi with a *Hasan* (good) chain of narrators].

(٩٨٤) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ كَتَبَ إِلَىٰ أُمَرَاءِ الأَجْنَادِ، فِي رِجَالٍ غَابُوا عَنْ نِسَائِهِمْ: أَنْ يَأْخُذُوهُمْ بِأَنْ يُنْفِقُوا، أَوْ يُطَلِّقُوا، فَإِنْ طَلَّقُوا بَعَثُوا بِنَفَقَةِ مَا حَبَسُوا. أَخْرَجَهُ الشَّافِعِيُّ ثُمَّ البَيْهَقِيُّ بِإِسْنَادٍ حَسَنٍ.

985. Narrated Abū Huraira ﷺ: A man came to the Prophet ﷺ and said, "I have a *Dinār*." He said, "Spend it on yourself." He said, "I have another." He replied, "Spend it on your children." He said, "I have another," He replied, "Spend it on your wife." He said, "I have another." He replied, "Spend it on your servant." He said, "I have another." He replied, "You know best (what to do with it)." [Ash-Shāfi'i and Abū Dā'ud reported it, and the wording is Abū Dā'ud's. An-Nasā'i and Al-Hākim reported it with the wife preceding the children].

(٩٨٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ، فَقَالَ: يَا رَسُولَ اللهِ! عِنْدِي دِينَارٌ، قَالَ: «أَنْفِقْهُ عَلَىٰ نَفْسِكَ»، قَالَ: عِنْدِي آخَرُ، قَالَ: «أَنْفِقْهُ عَلَىٰ وَلَدِكَ»، قَالَ: عِنْدِي آخَرُ، قَالَ: «أَنْفِقْهُ عَلَىٰ أَهْلِكَ»، قَالَ: عِنْدِي آخَرُ، قَالَ: «أَنْفِقْهُ عَلَىٰ خَادِمِكَ»، قَالَ: عِنْدِي آخَرُ، قَالَ: «أَنْتَ أَعْلَمُ». أَخْرَجَهُ الشَّافِعِيُّ وَأَبُو دَاوُدَ، وَاللَّفْظُ لَهُ، وَأَخْرَجَهُ النَّسَائِيُّ وَالحَاكِمُ بِتَقْدِيمِ الزَّوْجَةِ عَلَى الوَلَدِ.

986. Narrated Bahz bin Hakim on his father's authority from his grandfather

(٩٨٦) وَعَنْ بَهْزِ بْنِ حَكِيمٍ، عَنْ أَبِيهِ عَنْ جَدِّهِ، قَالَ: قُلْتُ: يَا رَسُولَ اللهِ! مَنْ أَبَرُّ؟

[1] Sufyān bin Sa'īd bin Masrūq Ath-Thawri Abū 'Abdullāh Al-Kufi was one of the eminent *Imāms* whose imamate, accuracy, memorization and knowledge of *Ahadīth,* and asceticism were unanimously confirmed. He was born in 77 H. and died in Basra in the year 161 H.

[2] His real name is 'Abdullāh bin Dhakwān, Al-Amawi by clientship of Al-Madīnah. He was among the eminent *Imāms*. Ahmad said, "He was reliable and a commander of the believers." Al-Bukhāri said, "The most authentic chain of narration is: Abū Az-Zinād narrated from Al-A'raj from Abū Huraira (who narrated from the Prophet ﷺ)." He died in the year 130 H or 131 H.

[3] Another *Hadīth* states that the money which one spends on his own kith and kin is of a far greater value in terms of reward than that which is spent on the poor strangers.

(ﷺ): I asked, "O Allāh's Messenger, to whom should I be kind and dutiful?" He replied. "Your mother." I asked, "Who comes next?" He replied, "Your mother." I asked, "Who comes next?" He replied, "Your mother." I asked, "Who comes next?" He replied, "Your father, then your relatives in order of nearness (of relationship)." [Abū Dā'ud and At-Tirmidhi reported it; the latter graded it *Hasan* (good)].

قَالَ: «أُمَّكَ»، قُلْتُ: ثُمَّ مَنْ؟ قَالَ: «أُمَّكَ»، قُلْتُ: ثُمَّ مَنْ؟ قَالَ: «أُمَّكَ»، قُلْتُ: ثُمَّ مَنْ؟ قَالَ: «أَبَاكَ، ثُمَّ الأَقْرَبَ فَالأَقْرَبَ». أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ.

Chapter 14 *AL-HIDĀNA*[1] (GUARDIANSHIP)

١٤ - بَابُ الحِضَانَةِ

987. Narrated 'Abdullāh bin 'Amr ﷺ : A woman said, "O Allāh's Messenger, this son of mine: my womb was a receptacle for him, my breasts were a source of suckling for him, and my lap was a place for him to curl up in, yet his father has divorced me and wants to take him away from me." Allāh's Messenger ﷺ replied her, "You have more right to him as long as you do not remarry." [Reported by Ahmad and Abū Dā'ud. Al-Hākim graded it *Sahih* (authentic)].

(٩٨٧) عَنْ عَبْدِاللهِ بْنِ عَمْرٍو رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ امْرَأَةً قَالَتْ: يَا رَسُولَ اللهِ! إِنَّ ابني هٰذَا، كَانَ بَطْنِي لَهُ وِعَاءً، وَثَدْيِي لَهُ سِقَاءً، وَحِجْرِي لَهُ حِوَاءً، وَإِنَّ أَبَاهُ طَلَّقَنِي، وَأَرَادَ أَنْ يَنْزِعَهُ مِنِّي، فَقَالَ لَهَا رَسُولُ اللهِ ﷺ: «أَنْتِ أَحَقُّ بِهِ، مَا لَمْ تَنْكِحِي». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَصَحَّحَهُ الحَاكِمُ.

988. Narrated Abū Huraira ﷺ: A woman said, "O Allāh's Messenger, my husband wants to take away my son, while he has benefited me and provided me with drinking water from

(٩٨٨) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ امْرَأَةً قَالَتْ: يَا رَسُولَ اللهِ! إِنَّ زَوْجِي يُرِيدُ أَنْ يَذْهَبَ بِابْنِي، وَقَدْ نَفَعَنِي، وَسَقَانِي مِنْ بِئْرِ أَبِي عِنَبَةَ، فَجَاءَ زَوْجُهَا، فَقَالَ النَّبِيُّ ﷺ: «يَا

[1] *Hidāna* literally means preservation and safety. According to the terminology of the Islamic law, it implies the proper upbringing and care accorded to a minor. If a man divorces his wife in such a condition that both of them are Muslims and have small children, then the woman has more right to claim the custody of her children. The man cannot deprive her of the children by snatching them away from her by force. In case such a child happens to be a milk-sucking infant, the expenses concerning her livelihood and the infant's clothing shall have to be borne by the man until the end of the child's infancy period. Once this span is over, the expenses of the child shall be the liability of his father regardless whether this child lives with his mother or father. As long as the woman does not remarry, such a child shall remain under her custody until he reaches adulthood. In case she marries his custody shall be transferred to his father. According to the *Hanafi Madhhab,* if she marries one of the relatives of the child, he will remain in her custody.

the well of Abū 'Inaba." Then her husband came and the Prophet ﷺ said, "Young man, this is your father and this is your mother, so take whoever of them you wish by the hand." He took his mother's hand and she went off with him.[1] [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi graded it *Sahih* (authentic)].

غُلَامُ! هَذَا أَبُوكَ، وَهَذِهِ أُمُّكَ، فَخُذْ بِيَدِ أَيِّهِمَا شِئْتَ، فَأَخَذَ بِيَدِ أُمِّهِ، فَانْطَلَقَتْ بِهِ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ.

989. Narrated Rāfi' bin Sinān[2] (ﷺ): He accepted Islam but his wife refused to accept it. The Prophet ﷺ then made the mother sit down to a side and the father to another side and made the son sit down between them. He (the son) then inclined to his mother, so the Prophet ﷺ then said, "O Allāh, give him guidance." Then he inclined to his father and he took him.[3] [Abū Dā'ud and An-Nasā'i reported it. Al-Hākim graded it *Sahih* (authentic)].

(٩٨٩) وَعَنْ رَافِعِ بْنِ سِنَانٍ أَنَّهُ أَسْلَمَ، وَأَبَتِ امْرَأَتُهُ أَنْ تُسْلِمَ، فَأَقْعَدَ النَّبِيُّ ﷺ الأُمَّ نَاحِيَةً، وَالأَبَ نَاحِيَةً، وَأَقْعَدَ الصَّبِيَّ بَيْنَهُمَا، فَمَالَ إِلَى أُمِّهِ، فَقَالَ: «اللَّهُمَّ اهْدِهِ، فَمَالَ إِلَى أَبِيهِ، فَأَخَذَهُ». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ الحَاكِمُ.

990. Narrated Al-Barā bin 'Azib ﷺ: The Prophet ﷺ gave a ruling regarding Hamza's daughter in favor of her maternal aunt, saying, "The maternal aunt is in the position of the mother." [Al-Bukhāri reported it].

(٩٩٠) وَعَنِ البَرَاءِ بْنِ عَازِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَضَى فِي ابْنَةِ حَمْزَةَ لِخَالَتِهَا، وَقَالَ: «الْخَالَةُ بِمَنْزِلَةِ الأُمِّ». أَخْرَجَهُ البُخَارِيُّ.

Ahmad reported it from the *Hadīth* of 'Ali ﷺ, he said, "The little girl must be with her maternal aunt for the maternal aunt is (the same as) a mother."

وَأَخْرَجَهُ أَحْمَدُ مِنْ حَدِيثِ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: وَالجَارِيَةُ عِنْدَ خَالَتِهَا فَإِنَّ الخَالَةَ وَالِدَةٌ.

991. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "When one's servant

(٩٩١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا أَتَى أَحَدَكُمْ

[1] According to the prior *Hadīth*, the mother has been declared as more rightful in keeping the custody of her children, whereas this *Hadīth* gives an option to the child that he may choose to live with either of his parents according to his own free will and choice. The reason for giving him such an option is that the child was grown up and sensible enough to decide as to where he could possibly be better off. Thus we understand that if a child is grown up and does not need the care of his parents in the matters related to his safety, he can choose either of his parents.

[2] Abul-Hakam Al-Ansāri Al-Ausi Al-Madani was a *Sahābi*. Abul-Qasim bin Salām said in *Al-Ansāb* that he is a descendant of Al-'Atbun who is 'Aamir bin Tha'laba.

[3] This *Hadīth* makes it clear that even being a polytheist does not nullify the right of a mother on her child. But once the child comes of age, he will not continue to live with her.

serves him with his food, if he does not make him sit down with him (and eat) he should give him one or two morsels[1] (of it)." [Agreed upon, and the wording is Al-Bukhāri's].

خَادِمُهُ بِطَعَامِهِ فَإِنْ لَمْ يُجْلِسْهُ مَعَهُ فَلْيُنَاوِلْهُ لُقْمَةً أَوْ لُقْمَتَيْنِ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

992. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ said, "A woman was punished on account of a cat which she held captive till it died. Hence, she entered the Hell-Fire due to (her mistreatment of) the cat.[2] She did not feed it or give it water while she held it captive, nor did she let it out so that it may eat the things that creep on the earth." [Agreed upon].

(٩٩٢) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «عُذِّبَتِ امْرَأَةٌ فِي هِرَّةٍ سَجَنَتْهَا حَتَّى مَاتَتْ، فَدَخَلَتِ النَّارَ فِيهَا، لَا هِيَ أَطْعَمَتْهَا، وَسَقَتْهَا، إِذْ هِيَ حَبَسَتْهَا، وَلَا هِيَ تَرَكَتْهَا تَأْكُلُ مِنْ خَشَاشِ الأَرْضِ». مُتَّفَقٌ عَلَيْهِ.

[1] This *Hadīth* tells us that a master should give something out of his food to his servant.

[2] This *Hadīth* makes it known that bearing the expenses of the pet animals is also the liability of the master. In case he fails to cover those liabilities, he shall be punished accordingly.

9. THE BOOK OF *JINAYĀT*[1] (OFFENSES)

٩ - كِتَابُ الجِنَايَاتِ

993. Narrated Ibn Mas'ūd ﷺ: Allāh's Messenger ﷺ said, "The blood of a Muslim who testifies that, 'nothing deserves to be worshipped except Allāh and that I am Allāh's Messenger' may not be lawfully shed but for one of three reasons:[2] a married man who commits fornication; a life for a life; and one who turns away from his religion and abandons the community." [Agreed upon].

(٩٩٣) عَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَحِلُّ دَمُ امْرِىءٍ مُسْلِمٍ يَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ، وَأَنِّي رَسُولُ اللهِ إِلَّا بِإِحْدَى ثَلَاثٍ: الثَّيِّبُ الزَّانِي، وَالنَّفْسُ بِالنَّفْسِ، وَالتَّارِكُ لِدِينِهِ المُفَارِقُ لِلْجَمَاعَةِ». مُتَّفَقٌ عَلَيْهِ.

994. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ said, "A Muslim may not be lawfully killed except in one of three cases: a married man who commits fornication, in which case he should be stoned to death; a man who kills a Muslim deliberately, for which he should be killed; and a man who apostatizes from Islam and fights against Allāh and His Messenger, in which case he should be killed, or crucified, or banished from the land." [Reported by Abū Dā'ud and An-Nasā'i. Al-Hākim graded it *Sahih* (authentic)].

(٩٩٤) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، عَنْ رَسُولِ اللهِ ﷺ قَالَ: «لَا يَحِلُّ قَتْلُ مُسْلِمٍ إِلَّا بِإِحْدَى ثَلَاثِ خِصَالٍ: زَانٍ مُحْصَنٌ فَيُرْجَمُ، وَرَجُلٌ يَقْتُلُ مُسْلِماً مُتَعَمِّداً فَيُقْتَلُ، وَرَجُلٌ يَخْرُجُ مِنَ الإِسْلَامِ، فَيُحَارِبُ اللَّهَ وَرَسُولَهُ، فَيُقْتَلُ، أَوْ يُصْلَبُ، أَوْ يُنْفَى مِنَ الأَرْضِ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ الحَاكِمُ.

995. Narrated 'Abdullāh bin Mas'ūd ﷺ: Allāh's Messenger ﷺ said, "Shedding of blood will be the first matter[3] on

(٩٩٥) وَعَنْ عَبْدِاللهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَوَّلُ مَا

[1] *Jinayāt* is the plural form of *Jinaya* which means, 'inflicting bodily harm on someone' whether it is done intentionally or by mistake.

[2] It is not permissible to kill someone who has pronounced the Testimony of Faith. A married adulterer, murderer and an apostate are however exceptions. One *Hadīth* states that it is permissible to kill someone in self-defense in case he attacks somebody with the intention of life-taking. This is the fourth one within the category of exceptions. The words 'life' against 'life' which are mentioned in this *Hadīth* suggest that it is permissible and fair to kill (in retaliation) a man for a (murdered) woman, a freeman for a (murdered) slave and a believer for a (murdered) non-believer. However, there is a difference of opinion concerning these three cases.

[3] This explains that committing a murder is one of the greatest sinful acts. It is a general rule that the biggest task is undertaken first; and so long as the murder is the biggest crime within the context of one's obligations towards people, its accountability will start first on the Day of Judgement. Likewise, *Salāt* features the foremost in relation to a slave's obligations towards Allāh, hence its accountability will also start first.

which Judgement will be given on the Day of Resurrection." [Agreed upon].

يُقْضَى بَيْنَ النَّاسِ، يَوْمَ القِيَامَةِ، فِي الدِّمَاءِ». مُتَّفَقٌ عَلَيْهِ.

996. Narrated Samura ﷺ: Allāh's Messenger ﷺ said, "If anyone kills his slave we will kill him, and if anyone maims his slave we will maim him."[1] [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi graded it *Hasan* (good), and it is from Hasan Al-Basri's narration on the authority of Samura. However, it was disagreed upon whether he has heard from Samura or not].

(٩٩٦) وَعَنْ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسولُ اللهِ ﷺ: «مَنْ قَتَلَ عَبْدَهُ قَتَلْنَاهُ، وَمَنْ جَدَعَ عَبْدَهُ جَدَعْنَاهُ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَحَسَّنَهُ التِّرْمِذِيُّ، وَهُوَ مِنْ رِوَايَةِ الحَسَنِ البَصرِيِّ عَنْ سَمُرَةَ، وَقَدِ اخْتُلِفَ فِي سَمَاعِهِ مِنْهُ.

The narration of Abū Dā'ud and An-Nasā'i has: "If anyone castrates his slave, we will castrate him."[Al-Hākim authenticated this addition].

وَفِي رِوَايَةِ أَبِي دَاوُدَ وَالنَّسَائِيِّ: «وَمَنْ خَصَى عَبْدَهُ خَصَيْنَاهُ». وَصَحَّحَ الحَاكِمُ هٰذِهِ الزِّيَادَةَ.

997. Narrated 'Umar bin Al-Khattāb ﷺ: I heard Allāh's Messenger ﷺ saying, "A father is not to be killed for a son."[2] [Reported by Ahmad, At-Tirmidhi and Ibn Mājah. Ibn Al-Jārūd and Al-Baihaqi graded it *Sahih* (authentic), but At-Tirmidhi said, "It is *Mudtarib* (containing irreconcilable contradictions, i.e. in its various chains)."]

(٩٩٧) وَعَنْ عُمَرَ بْنِ الخَطَّابِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «لَا يُقَادُ الوَالِدُ بِالوَلَدِ». رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ وَابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ الجَارُودِ وَالبَيْهَقِيُّ، وَقَالَ التِّرْمِذِيُّ: إِنَّهُ مُضْطَرِبٌ.

998. Narrated Abū Juhaifa (ﷺ): I asked 'Ali (ﷺ), "Have you any Revelation other than the Qur'ān?"[3] He replied, "No, by Him Who split the seed (causing germination) and created the soul, (I have nothing) but the

(٩٩٨) وَعَنْ أَبِي جُحَيْفَةَ قَالَ: قُلْتُ لِعَلِيٍّ: هَلْ عِنْدَكُمْ شَيْءٌ مِنَ الوَحْيِ، غَيْرُ القُرْآنِ؟ قَالَ: لَا، وَالَّذِي فَلَقَ الحَبَّةَ، وَبَرَأَ النَّسَمَةَ، إِلَّا فَهْمٌ يُعْطِيهِ اللَّهُ تَعَالَى رَجُلاً فِي القُرْآنِ، وَمَا

[1] The scholars unanimously agree that a slave may be decapitated in retaliation for the murder of a freeman. But there is a difference of opinions as to whether or not a freeman is decapitated in retaliation for the murder of a slave.

[2] The majority of earlier scholars are of the opinion that if a father kills his son, he shall not be put to death in retaliation for it. However, he cannot escape the penalty thus incurred in the Hereafter. The reason for this discriminatory treatment is that the father is the source of his son's existence and a son is not the source of his father's existence and therefore, he posses no right to put an end of his father's life.

[3] Abū Juhaifah asked this question because one of the Shi'ite sects was of the view that even though Muhammad ﷺ did have the Prophethood, part of the Revelations was also shared by his family members. Abū Juhaifah wanted this view of theirs to be refuted.

understanding which Allāh, the Most High, endows a man regarding the Qur'ān and what is in this document." I asked, "What does this document contain?" He replied, "*Al-'Aql* (rules related to Blood money), the setting free of a prisoner of war, and that a Muslim should not be killed for a *Kafir* (disbeliever)."[1] [Reported by Al-Bukhāri].

فِي هٰذِهِ الصَّحِيفَةِ، قُلْتُ: وَمَا فِي هٰذِهِ الصَّحِيفَةِ؟ قَالَ: ٱلْعَقْلُ، وَفِكَاكُ الأَسِيرِ، وَأَنْ لَا يُقْتَلَ مُسْلِمٌ بِكَافِرٍ. رَوَاهُ البُخَارِيُّ.

Reported by Ahmad, Abū Dā'ud and An-Nasā'i through another chain of narrators, from 'Ali (ﷺ) and he said in it, "The blood (lives) of all Muslims are equal (in retaliation for killing); the guarantee of protection (for a *Kafir*) from the lest of the Muslims must be observed (by all Muslims), and they are one hand (united) against others (i.e. their enemies). A Muslim should not be killed for a *Kafir*, nor should one who has been given a covenant be killed while his covenant holds." [Al-Hākim graded it *Sahih* (authentic)].

وَأَخْرَجَهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ مِنْ وَجْهٍ آخَرَ عَنْ عَلِيٍّ، وَقَالَ فِيهِ: «ٱلْمُؤْمِنُونَ تَتَكَافَأُ دِمَاؤُهُمْ، وَيَسْعَىٰ بِذِمَّتِهِمْ أَدْنَاهُمْ، وَهُمْ يَدٌ عَلَىٰ مَنْ سِوَاهُمْ، وَلَا يُقْتَلُ مُؤْمِنٌ بِكَافِرٍ، وَلَا ذُو عَهْدٍ فِي عَهْدِهِ». صَحَّحَهُ الحَاكِمُ.

999. Narrated Anas bin Mālik ﷺ: A girl was found with her head crushed between two stones and they asked her, "Who has done this to you? Is it so-and-so, or so-and-so," till they mentioned a Jew, whereupon she gave sign with her head. The Jew was brought in, and he then confessed (to it). Hence, Allāh's Messenger ﷺ gave command that his head should be crushed between two stones.[2]

(٩٩٩) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ جَارِيَةً وُجِدَ رَأْسُهَا قَدْ رُضَّ بَيْنَ حَجَرَيْنِ، فَسَأَلُوهَا، مَنْ صَنَعَ بِكِ هٰذا؟ فُلَانٌ؟ فُلَانٌ؟ حَتَّى ذَكَرُوا يَهُودِيًّا فَأَوْمَأَتْ بِرَأْسِهَا، فَأُخِذَ اليَهُودِيُّ، فَأَقَرَّ، فَأَمَرَ رَسُولُ اللهِ ﷺ أَنْ يُرَضَّ رَأْسُهُ بَيْنَ حَجَرَيْنِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

[1] This *Hadīth* tells us that a Muslim should not be killed in retaliation for the murder of a disbeliever. In case such a disbeliever happens to belong to a state that is at war with the Muslim state, a Muslim shall not be killed in retaliation for his murder, according to the consensus of the scholars. This is owing to the fact that an Islamic government is not accountable to it. However, if the disbeliever in question happens to be a *Dhimmi* (a tax-paying non-Muslim who lives within the Islamic state and who is considered to be a liability to the Islamic state), the three major *Imams* are of the opinion that a Muslim shall not be executed in retaliation for his murder whereas Imām Abu Hanifa is of the view that a Muslim must be executed for his murder.

[2] This *Hadīth* clarifies that a man shall be executed for the murder of a woman. Similarly, there is no discrimination – in terms of blood – between the poor and the rich or between

[Agreed upon, and the wording is Muslim's].

1000. Narrated 'Imrān bin Husain ﷺ: The slave of some poor[1] people cut off the ear of a slave of some rich people, so they came to the Prophet ﷺ, and he did not appoint any compensation for them. [Ahmad and *Ath-Thalatha* reported it with a *Sahih* (authentic) chain of narrators].

(١٠٠٠) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما أَنَّ غُلاماً لأُنَاسٍ فُقَرَاءَ قَطَعَ أُذُنَ غُلَامٍ لأُنَاسٍ أَغْنِيَاءَ، فَأَتَوُا النَّبِيَّ ﷺ فَلَمْ يَجْعَلْ لَهُمْ شَيْئاً. رَوَاهُ أَحْمَدُ وَالثَّلَاثَةُ بِإِسْنَادٍ صَحِيحٍ.

1001. Narrated 'Amr bin Shu'aib on his father's authority from his grandfather (ﷺ): A man stabbed the knee of another with a horn and the latter went to the Prophet ﷺ and said, "Retaliate for me." He replied, "Wait till you recover." He afterwards went to him and said, "Retaliate for me," and he allowed him to retaliate upon the offender. After some time, he came to him and said, "O Allāh's Messenger, I have become lame," and he replied, "I had forbidden you, but you disobeyed me, so may Allāh dismiss you and discontinue your lameness."[2] Then Allāh's Messenger ﷺ forbade the execution of retaliation until the victim recovers. [Reported by Ahmad and Ad-Dāraqutni, but it was considered defective for being *Mursal* (missing link after the *Tābi'i*)].

(١٠٠١) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، أَنَّ رَجُلاً طَعَنَ رَجُلاً بِقَرْنٍ، فِي رُكْبَتِهِ، فَجَاءَ إِلَى النَّبِيِّ ﷺ، فَقَالَ: أَقِدْنِي، فَقَالَ: حَتَّى تَبْرَأَ، ثُمَّ جَاءَ إِلَيْهِ، فَقَالَ: أَقِدْنِي، فَأَقَادَهُ، ثُمَّ جَاءَ إِلَيْهِ، فَقَالَ: يَا رَسُولَ اللهِ! عَرَجْتُ، فَقَالَ: «قَدْ نَهَيْتُكَ فَعَصَيْتَنِي، فَأَبْعَدَكَ اللَّهُ، وَبَطَلَ عَرَجُكَ»، ثُمَّ نَهَى رَسُولُ اللهِ ﷺ أَنْ يُقْتَصَّ مِنْ جُرْحٍ حَتَّى يَبْرَأَ صَاحِبُهُ. رَوَاهُ أَحْمَدُ وَالدَّارَقُطْنِيُّ، وَأُعِلَّ بِالإِرْسَالِ.

---

the young and the old.

[1] A slave cut off an ear of another slave. Now the people had only two options: Either retaliation be meted out to the slave, or blood money be paid to the victim of this inequity. The masters of the victimized slave did not ask for *Qisās* (retaliation) but solicited blood money. The master of the slave who committed the crime did not have anything to pay to the claimants and a slave does not own anything by himself, and hence the claimants consequently failed to get anything. This clarifies that a beggar is not subjected to the obligation of paying the blood money and bears no responsibility to pay any indemnity to anyone and thus his family members are also free from any such obligation. Paying indemnity becomes an obligation on the family members only on the condition that they are expecting to gain something out of the inheritance of the concerned person. But, as long as the person in question himself has no inheritance, the question of paying indemnity does not arise.

[2] This *Hadīth* informs us that one must not accept any compensatory payment until the wounds are completely healed up and must wait until such a time that he absolutely recovers from those injuries. The wisdom behind it is based on the fact that the said wound may

1002. Narrated Abū Huraira ﷺ: Two women of Hudhail fought and one of them threw a stone at the other killing both her and what was in her womb. So they brought the dispute before Allāh's Messenger ﷺ. Then Allāh's Messenger ﷺ gave judgement that the blood money for her unborn child[1] should be a male or female slave. He also gave judgement that the blood money for the woman (who was killed), is the responsibility of the *'Aaqila* (relatives from the fathers side) of the woman (who did the killing). Then, he made her son and those who were with them her heirs. Then Haml[2] bin An-Nābigha Al-Hudhali said, "O Allāh's Messenger, how should we be fined for one who has not eaten or drunk, or raised his voice, and a compensation is not to be paid for such." Allāh's Messenger ﷺ then said, "This man simply belongs to the *Kubhān*[3] due to the rhyming of words that he has used." [Agreed upon].

(١٠٠٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: اقْتَتَلَتِ امْرَأَتَانِ مِنْ هُذَيْلٍ، فَرَمَتْ إِحْدَاهُمَا الأُخْرَى بِحَجَرٍ، فَقَتَلَتْهَا وَمَا فِي بَطْنِهَا، فَاخْتَصَمُوا إِلَى رَسُولِ اللهِ ﷺ، فَقَضَى رَسُولُ اللهِ ﷺ أَنَّ دِيَةَ جَنِينِهَا غُرَّةٌ: عَبْدٌ أَوْ وَلِيدَةٌ، وَقَضَى بِدِيَةِ المَرْأَةِ عَلَى عَاقِلَتِهَا، وَوَرَّثَهَا وَلَدَهَا وَمَنْ مَعَهُمْ، فَقَالَ حَمَلُ بْنُ النَّابِغَةِ الهُذَلِيُّ: يَا رَسُولَ اللهِ! كَيْفَ نَغْرَمُ مَنْ لَا شَرِبَ وَلَا أَكَلَ؟ وَلَا نَطَقَ وَلَا اسْتَهَلَّ؟ فَمِثْلُ ذٰلِكَ يُطَلُّ، فَقَالَ رَسُولُ اللهِ ﷺ: «إِنَّمَا هَذَا مِنْ إِخْوَانِ الكُهَّانِ، مِنْ أَجْلِ سَجْعِهِ الَّذِي سَجَعَ». مُتَّفَقٌ عَلَيْهِ.

Abū Dā'ud and An-Nasā'i reported the aforesaid *Hadīth* from Ibn 'Abbās, that 'Umar ﷺ asked, "Who witnessed the judgement of Allāh's Messenger ﷺ regarding the unborn child?" Haml bin An-Nābigha stood up and said, "I was standing before two women and one of them struck the other." [The narrator narrated the *Hadīth* in brief. Ibn

وَأَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ، أَنَّ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، سَأَلَ مَنْ شَهِدَ قَضَاءَ رَسُولِ اللهِ ﷺ فِي الجَنِينِ قَالَ: فَقَامَ حَمَلُ بْنُ النَّابِغَةِ، فَقَالَ: كُنْتُ بَيْنَ امْرَأَتَيْنِ، فَضَرَبَتْ إِحْدَاهُمَا الأُخْرَى، فَذَكَرَهُ مُخْتَصَرًا وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

---

either prove to be a negligible one or it may deteriorate into being a fatal one. Be it as it may, the compensatory payment in these two cases is bound to be different from each other.

[1] In case the fetus dies before birth inside the womb of a woman or comes out still-born at the time of parturition, the compensation thus incurred shall be an amount equal to the price of a male or a female slave. If the infant dies after birth, the compensation payable shall be the price of a hundred camels. A quasi-deliberate murder or an accidental murder do not require *Qisās*, but call for blood money. In the case of a deliberate murder, the heirs of the victim may either opt for *Qisās* or the blood money. The Arabic word *'Aaqila* is translated as *'Asaba* (next of kin), which means that the compensation is not obligatory on a murderer alone, but also lies on his next of kin and immediate relatives.

[2] Hamal bin Mālik bin An-Nābigha Al-Hudhali Abū Nadla Al-Basri was a *Sahābi*.

[3] i.e., plural of *Kāhin*, meaning a soothsayer.

Hibbān and Al-Hākim graded it *Sahih* (authentic)].

1003. Narrated Anas ﷺ: Ar-Rubaiyi' daughter of An-Nadr[1] – his paternal aunt – broke the front tooth of a girl and they (the people of Ar-Rubaiyi') asked the girl's people to pardon her, but they refused. Then, they offered the compensation for wounds, but they refused. Then, they went to Allāh's Messenger ﷺ, but they refused (any offer) except retaliation. So Allāh's Messenger ﷺ ordered retaliation to be taken. Then Anas bin An-Nadr[2] asked, "O Allāh's Messenger, will the front tooth of Ar-Rubaiyi' be broken? No, by Him Who has sent you with the Truth, her front tooth will not be broken." Allāh's Messenger ﷺ then replied, "O Anas, Allāh's Decree is retaliation." Then, the people agreed, and pardoned her. So, Allāh's Messenger ﷺ said, "Among Allāh's slaves are those who, if they take an oath by Allāh, He responds to it (i.e. fulfills it).[3] " [Agreed upon, and the wording is Al-Bukhāri's].

(١٠٠٣) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ الرُّبَيِّعَ بِنْتَ النَّضْرِ - عَمَّتَهُ - كَسَرَتْ ثَنِيَّةَ جَارِيَةٍ، فَطَلَبُوا إِلَيْهَا العَفْوَ، فَأَبَوا، فَعَرَضُوا الأَرْشَ، فَأَبَوا، فَأَتَوا رَسُولَ اللهِ ﷺ، فَأَبَوْا، إِلَّا القِصَاصَ، فَأَمَرَ رَسُولُ اللهِ ﷺ بِالقِصَاصِ، فَقَالَ أَنَسُ بْنُ النَّضْرِ: يَا رَسُولَ اللهِ: أَتُكْسَرُ ثَنِيَّةُ الرُّبَيِّعِ؟ لَا، وَالَّذِي بَعَثَكَ بِالحَقِّ، لَا تُكْسَرُ ثَنِيَّتُهَا، فَقَالَ رَسُولُ اللهِ ﷺ: «يَا أَنَسُ! كِتَابُ اللهِ القِصَاصُ»، فَرَضِيَ القَوْمُ، فَعَفَوْا، فَقَالَ رَسُولُ اللهِ ﷺ: «إِنَّ مِنْ عِبَادِ اللهِ مَنْ لَوْ أَقْسَمَ عَلَى اللهِ لأَبَرَّهُ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

1004. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "If anyone is killed *'Immiyan* (in obscurity),[4] or by the throwing of a stone, or with a whip, or

(١٠٠٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ قُتِلَ فِي عِمِّيًّا، أَوْ فِي رِمِّيًّا بِحَجَرٍ أَوْ سَوْطٍ أَوْ عَصاً،

[1] Ar-Rubaiyi', daughter of An-Nadr bin Damdam bin Zaid bin Harām, was the paternal aunt of Anas bin Mālik, the servant of the Prophet ﷺ and the mother of Hāritha bin Surāqa who was martyred at the battle of Badr.

[2] He was the brother of Ar-Rubaiyi' and the paternal uncle of Anas bin Mālik. He did not participate in the battle of Badr and used to regret that. So, on the day of the battle of Uhud, when some Muslims fled, he went forward towards the defense line of the *Mushrikūn*, expressing to Allāh his sorrow for what the Muslims did, saying, "I can smell the fragrance of the *Jannah* before the mountain of Uhud." He then fought till he was martyred.

[3] This utterance made by Anas رضي الله عنه was not to oppose the *Shari'a* commandment. In fact he made every possible effort to intercede on behalf of the concerned person and he had an absolute faith in Allāh's mercy. Had it been otherwise, the Prophet ﷺ would never have commended him, but would have denounced and repudiated him instead. This *Hadīth* further elaborates that the loss of teeth also involves *Qisās*.

[4] Being killed *'Immiyan* (in obscurity) refers to a slain person whose murderer is unknown or the manner in which he was killed can not be established. Similarly, if someone gets killed

with a stick, then his blood money is that which is due for an accidental death. As for he who is killed deliberately, retaliation is due. And if anyone tries to prevent it Allāh's curse will be upon him." [Abū Dā'ud, An-Nasā'i and Ibn Mājah reported it with a *Qawi* (strong) chain of narrators].

فَعَقْلُهُ عَقْلُ الخَطَأ، وَمَنْ قُتِلَ عَمْدًا، فَهُوَ قَوَدٌ، وَمَنْ حَالَ دُونَهُ، فَعَلَيْهِ لَعْنَةُ اللهِ». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ وَابْنُ مَاجَهْ بِإِسْنَادٍ قَوِيٍّ.

1005. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ said, "If a man seizes a man and another kills him, the one who killed him is to be killed and the one who seized[1] him is to be imprisoned." [Ad-Dāraqutni reported it as *Mawsūl* (connected chain) and *Mursal* (missing link after the *Tābi'i*). Ibn Al-Qattān graded it *Sahih* (authentic), and its narrators are reliable. However, Al-Baihaqi held that the stronger view is that it is *Mursal*].

(١٠٠٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ، قَالَ: «إِذَا أَمْسَكَ الرَّجُلُ الرَّجُلَ، وَقَتَلَهُ الآخَرُ، يُقْتَلُ الَّذِي قَتَلَهُ، وَيُحْبَسُ الَّذِي أَمْسَكَ». رَوَاهُ الدَّارَقُطْنِيُّ مَوْصُولاً وَمُرْسَلاً، وَصَحَّحَهُ ابْنُ القَطَّانِ، وَرِجَالُهُ ثِقَاتٌ، إِلَّا أَنَّ البَيْهَقِيَّ رَجَّحَ المُرْسَلَ.

1006. Narrated 'Abdur-Rahman[2] bin Al-Bailamāni: The Prophet ﷺ killed a Muslim for a man who had made a covenant,[3] and said, "I am the most worthy of those who fulfill their responsibility (i.e. guarantee of protection)." [Abdur-Razzāq reported it thus in a *Mursal* form (missing link after the *Tābi'i*). Ad-Dāraqutni

(١٠٠٦) وَعَنْ عَبْدِ الرَّحْمٰنِ بْنِ البَيْلَمَانِيِّ، أَنَّ النَّبِيَّ ﷺ قَتَلَ مُسْلِماً بِمُعاهَدٍ، وَقَالَ: «أَنَا أَوْلَى مَنْ وَفَّى بِذِمَّتِهِ». أَخْرَجَهُ عَبْدُ الرَّزَّاقِ هٰكَذَا مُرْسَلاً، وَوَصَلَهُ الدَّارَقُطْنِيُّ بِذِكْرِ ابْنِ عُمَرَ فِيهِ، وَإِسْنَادُ المَوْصُولِ وَاهٍ.

in a riot, no *Qisās* is involved, since the ruling which applies here is *Diya* (i.e., blood money). In case someone dies as a result of being struck by a bludgeon, whip or stone, such a murder is regarded as quasi-deliberate and also involves blood money.

[1] This *Hadīth* proves that a person who holds a murder victim, shall not be executed. Such a person will only be subjected to imprisonment. Determining the duration of his imprisonment depends on the view of the judge, and it can either be a long or short one, depending on the nature of the murder.

[2] He is 'Abdur-Rahman bin Abū Zaid, the manumitted slave of 'Umar رضي الله عنه . He was a resident of Al-Madinah who settled at Harān. He was a *Tābi'i* of the sixth generation. Abū Hātim said, "He was weak (in *Hadīth* narration), but Ibn Hibbān verified him as reliable. Al-Hāfiz Abdul-'Azim said, "He is not an authority (in *Hadīth*)." He hailed from Bailamān.

[3] The word used in Arabic is *Mu'āhid* and refers to a non-believer who does not have permanent residence in the Islamic state and has arrived in the Islamic state to carry out an assignment after securing the necessary permission and shelter from the Islamic state. The murder of such a person is unanimously forbidden. However, his Muslim murderer shall not be executed in retaliation, according to the majority of scholars, except the *Hanafi* School.

reported it *Mawsul* (connected chain) by mentioning Ibn 'Umar in it. However, the *Mawsul* (connected chain of narrators) is *Wāhin* (extremely weak)].

1007. Narrated Ibn 'Umar ﷺ: A boy was killed treacherously, [1] so 'Umar said, "If all the people of San'ā had shared in shedding his blood, I would have killed them for him." [Al-Bukhāri reported it].

(١٠٠٧) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قُتِلَ غُلَامٌ غِيلَةً، فَقَالَ عُمَرُ: لَوِ اشْتَرَكَ فِيهِ أَهْلُ صَنْعَاءَ لَقَتَلْتُهُمْ بِهِ. أَخْرَجَهُ الْبُخَارِيُّ.

1008. Narrated Abū Shuraih[2] Al-Khuzā'i ﷺ: Allāh's Messenger ﷺ said, "If a relative of anyone is killed, after this speech of mine, his family will have a choice: either to accept blood money or to kill (the murderer) (in retaliation)." [Abū Dā'ud and An-Nasā'i reported it]. Its basic meaning is found in *As-Sahīhain* from Abū Huraira's *Hadīth*, which is similar.

(١٠٠٨) وَعَنْ أَبِي شُرَيْحٍ الْخُزَاعِيِّ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «فَمَنْ قُتِلَ لَهُ قَتِيلٌ، بَعْدَ مَقَالَتِي هَذِهِ، فَأَهْلُهُ بَيْنَ خِيرَتَيْنِ، إِمَّا أَنْ يَأْخُذُوا الْعَقْلَ، أَوْ يَقْتُلُوا». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَأَصْلُهُ فِي الصَّحِيحَيْنِ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ بِمَعْنَاهُ.

Chapter 1
TYPES OF *DIYAT*[3] (BLOOD MONEY)

١ - بَابُ الدِّيَاتِ

1009. Narrated Abū Bakr[4] bin Muhammad bin 'Amr bin Hazm, on his father's authority from his grandfather (ﷺ): The Prophet ﷺ wrote to the people of Yemen – the narrator narrated the *Hadīth* – and it contains:

(١٠٠٩) عَنْ أَبِي بَكْرِ بْنِ مُحَمَّدِ بْنِ عَمْرِو ابْنِ حَزْمٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ أَنَّ النَّبِيَّ ﷺ كَتَبَ إِلَىٰ أَهْلِ الْيَمَنِ فَذَكَرَ الْحَدِيثَ. وَفِيهِ: أَنَّ مَنِ اعْتَبَطَ مُؤْمِناً قَتْلاً عَنْ بَيِّنَةٍ، فَإِنَّهُ قَوَدٌ،

[1] The incidence goes that three people murdered a young boy collectively and deceitfully. 'Umar رضي الله عنه issued a decree that all of them be executed. There is a difference of opinion as to whether or not more than one person may be executed in retaliation for the murder of just one person. Preference is, however, accorded to the verdict of 'Umar رضي الله عنه.

[2] 'Amr bin Khuwailid or Khuwailid bin 'Amr Al-Ka'bi Al-'Adawi Al-Khuza'i became a Muslim before the Conquest of Makkah and died in Al-Madīnah in the year 68 H.

[3] *Diya* is the blood money which is paid to the victim's legal heir.

[4] Abū Bakr bin Muhammad bin 'Amr bin Hazm Al-Ansāri An-Najāri Al-Madani Al-Qadi. He was reliable, devoted in Allāh's worship and was among the contributors to the six books of *Ahadīth*. He was also a *Tābi'i* of the fifth generation. His wife said that he didn't sleep on his bed at night for forty years, meaning that he used to perform voluntary night prayers. Ibn Ma'īn verified him as reliable, and Ibn Sa'd said that he died in the year 120 H.

"If anyone kills a believer unjustly – a deliberate killing – retaliation is then due unless the relatives of the one who is killed are pleased (with some other settlement).[1] It also contains that the *Diya* (blood money) for a life (being taken) is a hundred camels; that full *Diya* (blood money) must be paid [in each of the following]: the complete cutting off of a nose, the two eyes, the tongue, the two lips, the penis, the two testicles and the backbone; that for one foot half the *Diya* (blood money) must be paid, for a wound in the head (which reaches the brain) a third of the blood money, for a thrust which penetrates the body a third of the blood money, for a wound which causes the broken bones to come out fifteen camels, for each finger and toe ten camels, for a tooth five camels, and for a wound which lays bare the bone five camels; that a man may be killed in retaliation for a woman; and that those who have gold should pay a thousand Dinārs."[2] [Reported by Abū Dā'ud – in his book *Marasīl* – An-Nasā'i, Ibn Khuzaima, Ibn Al-Jārūd, Ibn Hibbān and Ahmad. However, they disagreed regarding its authenticity].

إِلَّا أَنْ يَرْضَى أَوْلِيَآءُ المَقْتُولِ. وَإِنَّ فِي النَّفْسِ الدِّيَةَ: مِائَةٌ مِنَ الإِبِلِ، وَفِي الأَنْفِ إِذَا أُوعِبَ جَدْعُهُ الدِّيَةُ، وَفِي العَيْنَيْنِ الدِّيَةُ، وَفِي اللِّسَانِ الدِّيَةُ، وَفِي الشَّفَتَيْنِ الدِّيَةُ، وَفِي الذَّكَرِ الدِّيَةُ، وَفِي البَيْضَتَيْنِ الدِّيَةُ، وَفِي الصُّلْبِ الدِّيَةُ، وَفِي الرِّجْلِ الوَاحِدَةِ نِصْفُ الدِّيَةِ، وَفِي المَأْمُومَةِ ثُلُثُ الدِّيَةِ، وَفِي الجَائِفَةِ ثُلُثُ الدِّيَةِ، وَفِي ٱلْمُنَقِّلَةِ خمسَ عَشْرَةَ مِنَ الإِبِلِ، وَفِي كُلِّ إِصْبَعٍ، مِنْ أَصَابِعِ اليَدِ وَالرِّجْلِ عَشْرٌ مِنَ الإِبِلِ، وَفِي السِّنِّ خَمْسٌ مِنَ الإِبِلِ، وَفِي المُوضِحَةِ خَمْسٌ مِن الإِبِلِ، وَإِنَّ الرَّجُلَ يُقْتَلُ بِالمَرْأَةِ، وَعَلَىٰ أَهْلِ ٱلذَّهَبِ أَلفُ دِينَارٍ. أَخْرَجَهُ أَبُو دَاوُدَ فِي المَرَاسِيلِ، وَالنَّسَائِيُّ وَابْنُ خُزَيْمَةَ وَابْنُ الجَارُودِ وَابْنُ حِبَّانَ وَأَحْمَدُ، وَاخْتَلَفُوا فِي صِحَّتِهِ.

1010. Narrated Ibn Mas'ūd ﷺ: The Prophet ﷺ said, "The blood money for murder by error should be in five types

(١٠١٠) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، قَالَ: «دِيَةُ الخَطَاءِ

[1] This *Hadīth* implies that in the case of a deliberate murder, the successors of a victim, regardless of whether by blood or through adoption, are free to choose among the four options. These options are: a) retaliation by life-taking (death penalty to the murderer); b) *Diya* (acceptance of blood money); c) pardoning or excusing the murderer; d) making a settlement on more or less the equivalent of the blood money.

[2] This *Hadīth* demonstrates that the legal successors of a person, killed without any fault on his part, are free either to opt for *Diya* (a blood money payment) or *Qisās* (execution of the murderer in retaliation). The amount of *Diya* payable is 100 camels or their collective price. There is a statement listing separate amounts as compensations payable against the loss of different bodily organs. *Ma'mumah* (المأمومة) is a blow which affects the brain. *Jā'ifah* (الجائفة) is a wound inflicted between a bodily region spanning from one's throat to the urinary bladder and rips open the upper layer of one's belly. *Moudihah* (الموضحة) is a wound inflicted in such a way that it flays off the bodily flesh and makes the bone revealed and visible.

of camels: Twenty she-camels in their fourth year, twenty she-camels in their fifth year, twenty she-camels which had entered their second year, twenty she-camels which had entered their third year, and twenty male camels which had entered their third year." [Ad-Dāraqutni reported it. *Al-Arba'a* reported it with the wording: "twenty male camels which had entered their second year" instead of "twenty male camels which had entered their third year," and the chain of narrators of the first (Ad-Dāraqutni's) is stronger (than the one reported by *Al-Arba'a*). Ibn Abū Shaiba reported it through another chain which is *Mawqūf* (a saying of a Companion, i.e. Ibn Mas'ud),[1] it is more authentic than the *Marfū'* narration (attributed to the Prophet)].

أَخْمَاساً: عِشْرُونَ حِقَّةً، وَعِشْرُونَ جَذَعَةً، وَعِشْرُونَ بَنَاتِ مَخَاضٍ، وَعِشْرُونَ بَنَاتِ لَبُونٍ، وَعِشْرُونَ بَنِي لَبُونٍ» أَخْرَجَهُ الدَّارَقُطْنِيُّ. وَأَخْرَجَهُ الأَرْبَعَةُ بِلَفْظِ: «وَعِشْرُونَ بَنِي مَخَاضٍ» بَدَلَ «بَنِي لَبُونٍ»، وَإِسْنَادُ الأَوَّلِ أَقْوَى، وَأَخْرَجَهُ ابْنُ أَبِي شَيْبَةَ مِنْ وَجْهٍ آخَرَ مَوْقُوفاً، وَهُوَ أَصَحُّ مِنَ المَرْفُوعِ.

Abū Dā'ud and At-Tirmidhi reported the aforesaid *Hadīth* through 'Amr bin Shu'aib on his father's authority from his grandfather (ﷺ) who narrated it as *Marfū'* (a saying of the Prophet) that, "The blood money should be thirty she-camels in their fourth year, thirty she-camels in their fifth year, and forty she-camels in their sixth year and which are pregnant."

وَأَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ مِنْ طَرِيقِ عَمْرِو ابْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، رَفَعَهُ: الدِّيَةُ ثَلَاثُونَ حِقَّةً، وَثَلاثُونَ جَذَعَةً، وَأَرْبَعُونَ خَلِفَةً، فِي بُطُونِهَا أَوْلَادُهَا.

1011. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ said, "The people most insolent with Allāh are three: He who kills someone in the *Haram*[2] (Sacred Territory) of Allāh, he who kills someone other than the killer who has killed a relative of his, and he who kills someone for the revenge of the pre-Islamic times." [Ibn Hibbān reported it in a *Hadīth* which he held to be *Sahih* (authentic)].

(١٠١١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «إِنَّ أَعْتَى النَّاسِ عَلَى اللهِ ثَلَاثَةٌ: مَنْ قَتَلَ فِي حَرَمِ اللهِ، أَوْ قَتَلَ غَيْرَ قَاتِلِهِ، أَوْ قَتَلَ لِذَحْلِ الجَاهِلِيَّةِ». أَخْرَجَهُ ابْنُ حِبَّانَ فِي حَدِيثٍ صَحَّحَهُ.

[1] The majority of the *Ummah* (Islamic nation) acts upon the narration of Ibn Mas'ūd.

[2] This *Hadīth* informs us that a sinful act committed within the confines of *Haram* (sacred territory) incurs a far greater penalty than a similar act committed elsewhere.

1012. Narrated 'Abdullāh bin 'Amr bin Al-'Aas ﷺ: Allāh's Messenger ﷺ said, "The blood money for murder by error[1] and quasi-deliberate murder [which resembles intentional murder] such as the one committed with a whip and a stick is a hundred camels, forty of which are pregnant." [Abū Dā'ud, An-Nasā'i and Ibn Mājah reported it, and Ibn Hibbān graded it *Sahih* (authentic)].

(١٠١٢) وَعَنْ عَبْدِاللهِ بْنِ عَمْرِو بْنِ العَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «أَلَا إِنَّ دِيَةَ ٱلْخَطَاءِ وَشِبْهِ العَمْدِ، مَا كَانَ بِالسَّوْطِ وَالعَصَا، مِائَةٌ مِنَ الإِبِلِ، مِنْهَا أَرْبَعُونَ فِي بُطُونِهَا أَوْلَادُهَا». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ وَابْنُ ماجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1013. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ said, "This and this are equal (regarding blood money), meaning the little finger and the thumb."[2] [Reported by Al-Bukhāri].

(١٠١٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ، قَالَ: «هٰذِهِ وَهٰذِهِ سَوَاءٌ يَعْنِي الخِنْصَرَ وَالإِبْهَامَ». رَوَاهُ البُخَارِيُّ.

Abū Dā'ud and At-Tirmidhi have: "The blood money for the fingers and toes is equal, the teeth are equal, (even) the front tooth and the molar tooth are equal."

وَلِأَبِي دَاوُدَ وَالتِّرْمِذِيِّ: دِيَةُ ٱلأَصَابِعِ سَوَآءٌ وَالأَسْنَانُ سَوَآءٌ، الثَّنِيَّةُ والضِّرْسُ سَوَآءٌ.

Ibn Hibbān has: "The blood money for the fingers and toes is equal, and ten camels must be paid for each finger or toe."

وَلِابْنِ حِبَّانَ: دِيَةُ أَصَابِعِ اليَدَيْنِ وَالرِّجْلَيْنِ سَوَآءٌ، عَشْرٌ مِنَ الإِبِلِ لِكُلِّ إِصْبَعٍ.

1014. Narrated 'Amr bin Shu'aib on his father's authority from his grandfather (ﷺ): The Prophet (ﷺ) said, "Anyone who practices medicine – while he is not known as a practitioner – then, he kills someone or inflicts (some bodily

(١٠١٤) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، رَفَعَهُ، قَالَ: مَنْ تَطَبَّبَ، وَلَمْ يَكُنْ بِٱلطِّبِّ مَعْرُوفاً، فَأَصَابَ نَفْساً فَمَا دُونَهَا، فَهُوَ ضَامِنٌ. أَخْرَجَهُ الدَّارَقُطْنِيُّ، وَصَحَّحَهُ الحَاكِمُ،

[1] A *Hadīth* narrated by Ibn Mas'ūd concerning the blood money payable in the event of a murder by error has already been mentioned earlier. Some people, on the basis of this *Hadīth*, deem this kind of blood money to be correct and valid. The rationale behind it seems to be that each murder case should be treated individually and separately in accordance with the condition of the victim. If a person is killed in a cold blooded and brutal fashion, the blood money shall be severe. A deliberate murder is the one in which someone intentionally uses such a weapon which generally proves to be lethal and causes death to the victim. A murder by error is the one in which the weapon thus used happens to be indeed a lethal one but the real intention was not to kill the man. For instance an arrow, which was originally aimed at a game of pray, missed the intended target and struck a human being. A quasi-deliberate murder is the one in which the intention of hitting a person was actually involved, but the instrument used was one which does not usually cause death; i.e., a whip, a baton and brick, etc.

[2] All the fingers, whether big ones or small ones, are to be treated exactly on an equal footing in terms of compensatory payment.

harm) less than death, he will be held responsible.''[1] [Ad-Dāraqutni reported it, and Al-Hākim graded it *Sahih* (authentic). It occurs in the books of Abū Dā'ud, An-Nasā'i and others. However, its *Mursal* form (missing link after the *Tābi'i*) is stronger than its *Mausūl* (connected chain)].

وَهُوَ عِنْدَ أَبِي دَاوُدَ والنَّسَائِيِّ وَغَيْرِهِمَا، إِلَّا أَنَّ مَنْ أَرْسَلَهُ أَقْوَى مِمَّنْ وَصَلَهُ.

1015. Narrated ('Amr bin Shu'aib on his father's authority from his grandfather) ﷺ: The Prophet ﷺ said, "Five camels must be paid for every wound that lays bare a bone." [Reported by Ahmad and *Al-Arba'a*]. Ahmad added: "The fingers and toes are all equal, and ten camels must be paid for each of them." [Ibn Khuzaima and Ibn Al-Jārūd graded it *Sahih* (authentic)].

(١٠١٥) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «فِي المَوَاضِحِ خَمْسٌ خَمْسٌ مِنَ الْإِبِلِ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ. وَزَادَ أَحْمَدُ: «وَالأَصَابِعُ سَوَاءٌ كُلُّهُنَّ، عَشْرٌ عَشْرٌ مِنَ الإِبِلِ»، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ الجَارُودِ.

1016. Narrated ('Amr bin Shu'aib on his father's authority from his grandfather) ﷺ: Allāh's Messenger ﷺ said, "The blood money for *Ahl Adh-Dhimmah* is half[2] of that for a Muslim." [Reported by Ahmad and *Al-Arba'a*]. Abū Dā'ud's wording has: "The blood money for a *Mu'aahad* (one with whom a covenant has been made) is half that for a freeman." An-Nasā'i has: "The blood money for a woman [for wounds inflicted, less than death] is the same as that for a man, until it reaches a third of the blood money for her life." [Ibn Khuzaima graded it *Sahih* (authentic)].

(١٠١٦) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «عَقْلُ أَهْلِ الذِّمَّةِ نِصْفُ عَقْلِ المُسْلِمِينَ» رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ. وَلَفْظُ أَبِي دَاوُدَ: «دِيَةُ ٱلْمُعَاهَدِ نِصْفُ دِيَةِ ٱلْحُرِّ». وَلِلنَّسَائِيِّ: «عَقْلُ المَرْأَةِ مِثْلُ عَقْلِ الرَّجُلِ، حَتَّى يَبْلُغَ الثُّلُثَ مِنْ دِيَتِهَا». وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

1017. Narrated ('Amr bin Shu'aib on his

(١٠١٧) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ

[1] As long as one is not a qualified physician, he must not recommend a dangerous and poisonous medicine to any of his patients. In case a patient, who is under such a physician's care, dies out of using a poisonous medicine or as a result of a dangerous surgical operation, this physician will be bound to pay the blood money for causing his death.

[2] This *Hadīth* clarifies two things. Firstly, the blood money payable to *Ahl Adh- Dhimmah* will be half of the amount that is normally paid to a Muslim. *Dhimmi* is a term used for a non-believer who resides as a citizen in an Islamic country. Secondly, the compensation of a women for injuries (less than loss of life), is equal to the compensation of a man for injuries, until it reaches one-third of a full *Diya* (blood money for loss of life). Whatever exceeds one-third will be half of the compensation given to a man (for similar injuries).

رَسُولُ اللهِ ﷺ: «عَقْلُ شِبهِ العَمْدِ مُغَلَّظٌ، مِثْلُ عَقْلِ العَمْدِ، وَلَا يُقْتَلُ صَاحِبُهُ، وَذٰلِكَ أَنْ يَنْزُوَ الشَّيْطَانُ فَتَكُونُ دِمَاءٌ بَيْنَ النَّاسِ فِي غَيْرِ ضَغِينَةٍ، وَلَا حَمْلِ سِلَاحٍ». أَخْرَجَهُ الدَّارَقُطْنِيُّ وَضَعَّفَهُ.

father's authority from his grandfather) ﷺ: Allāh's Messenger ﷺ said, "Blood money for quasi-deliberate murder is to be made as severe as that for deliberate murder, but the offender is not to be killed,[1] [so that there is no chance for] the devil to rise up and thereby cause shedding of blood between the people – [even though the initial killing involved] no ill-will nor the use of (deadly) weapons." [Al-Dāraqutni reported it, and graded it *Da'if* (weak)].

(١٠١٨) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قَتَلَ رَجُلٌ رَجُلاً عَلَى عَهْدِ رَسُولِ اللهِ ﷺ، فَجَعَلَ النَّبِيُّ ﷺ دِيَتَهُ اثْنَيْ عَشَرَ أَلْفاً. رَوَاهُ الأَرْبَعَةُ، وَرَجَّحَ النَّسَائِيُّ وَأَبُو حَاتِمٍ إِرْسَالَهُ.

1018. Narrated Ibn 'Abbās ﷺ: A man killed another in the time of Allāh's Messenger ﷺ, so the Prophet ﷺ fixed his blood money at twelve thousand (*Dirhams*). [Reported by *Al-Arba'a*. An-Nasā'i and Abū Hātim held that the stronger view is that it is ***Mursal*** (missing link after the *Tābi'i*)].

(١٠١٩) وَعَنْ أَبِي رِمْثَةَ قَالَ: أَتَيْتُ النَّبِيَّ ﷺ، وَمَعِيَ ابْنِي، فَقَالَ: «مَنْ هَذَا؟» فَقُلْتُ: ابْنِي، وَأَشْهَدُ بِهِ، فَقَالَ: «أَمَا إِنَّهُ لَا يَجْنِي عَلَيْكَ. وَلَا تَجْنِي عَلَيْهِ». رَوَاهُ النَّسَائِيُّ وَأَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ الجَارُودِ.

1019. Narrated Abū Rimtha[2] : I came to the Prophet ﷺ with my son and he asked, "Who is this?" I replied, "He is my son and I bear witness to the fact." He said, "For sure, you will neither be held responsible for his offence nor he[3] for yours." [Reported by An-Nasā'i and Abū Dā'ud. Ibn Khuzaima and Ibn Al-Jārūd graded it ***Sahih*** (authentic)].

[1] The amount of blood money in the case of a quasi-deliberate murder depends upon the opinion of the ruling judge. In case the murder incidents abound in the region or the murderer happens to be an extremely mischievous and emotional character, the judge may equate the amount of blood money with that of the one realized in the case of a deliberate murder. If the prevalent conditions appear to be otherwise, he is empowered to decrease the amount of blood money to be at par with the one realized in the case of a murder by error.

[2] It is said that his name was Habib bin Haiyān or Rifā'a bin Yathribi or 'Amāra bin Yathribi, – Balawi or Taimi of Banu Taim Ar-Rabab. It is also said he was a Tamimi and a descendant of Imra'ul-Qais bin Zaid Manāt bin Tamim. He was a *Sahābi* counted among the people of Kufa.

[3] The purpose of mentioning this *Hadīth* here is to explain that a son is not accountable for a crime committed by his father. Similarly, a father shall not be held answerable for a wrong deed committed by his son. They cannot be punished for the wrongs of each other.

Chapter 2 ACCUSATION WITH A MURDER AND TAKING AN OATH

٢ - بَابُ دَعْوَى الدَّمِ وَالقَسَامَةِ

1020. Narrated Sahl bin Abū Hathma (ﷺ) on the authority of some elderly men of his tribe: 'Abdullāh bin Sahl[1] and Muhaiyisa[2] bin Mas'ūd went out to Khaibar owing to some difficulties which had afflicted them. Muhaiyisa came and told that 'Abdullāh bin Sahl had been killed and thrown into a well. He came to the Jews and said, "It is you – I swear by Allāh – who have killed him." They replied, "We swear by Allāh that we have not killed him." He, his brother Huwaiyisa[3] and 'Abdur-Rahmān bin Sahl[4] came and Muhaiyisa was about to speak when Allāh's Messenger ﷺ said, "*Kabbir, Kabbir,*" (i.e. let the oldest speak first). So Huwaiyisa spoke, then Muhaiyisa spoke. Allāh's Messenger ﷺ thereupon said, "They should either pay the blood money for your friend, or take notice of war. He wrote to them a letter regarding that, and they answered, "By Allāh, we have not killed him." He then said to Huwaiyisa, Muhaiyisa and

(١٠٢٠) وَعَنْ سَهْلِ بْنِ أَبِي حَثْمَةَ، عَنْ رِجَالٍ مِنْ كُبَرَاءِ قَوْمِهِ، أَنَّ عَبْدَ اللهِ بْنَ سَهْلٍ وَمُحَيِّصَةَ بْنَ مَسْعُودٍ خَرَجَا إِلَى خَيْبَرَ، مِنْ جَهْدٍ أَصَابَهُمْ، فَأَتَى مُحَيِّصَةُ، فَأَخْبَرَ أَنَّ عَبْدَاللهِ بْنَ سَهْلٍ قَدْ قُتِلَ، وَطُرِحَ فِي عَيْنٍ، فَأَتَى يَهُودَ، فَقَالَ: أَنْتُمْ وَاللهِ قَتَلْتُمُوهُ، قَالُوا: وَاللهِ مَا قَتَلْنَاهُ، فَأَقْبَلَ هُوَ وَأَخُوهُ حُوَيِّصَةُ، وَعَبْدُ الرَّحْمٰنِ بْنُ سَهْلٍ، فَذَهَبَ مُحَيِّصَةُ لِيَتَكَلَّمَ، فَقَالَ رَسُولُ اللهِ ﷺ: «كَبِّرْ كَبِّرْ»، يُرِيدُ السِّنَّ. فَتَكَلَّمَ حُوَيِّصَةُ، ثُمَّ تَكَلَّمَ مُحَيِّصَةُ، فَقَالَ رَسُولُ اللهِ ﷺ: «إِمَّا أَنْ يَدُوا صَاحِبَكُمْ، وَإِمَّا أَنْ يَأْذَنُوا بِحَرْبٍ»، فَكَتَبَ إِلَيْهِمْ فِي ذٰلِكَ كِتَاباً، فَكَتَبُوا: إِنَّا وَاللهِ مَا قَتَلْنَاهُ، فَقَالَ لِحُوَيِّصَةَ، وَمُحَيِّصَةَ، وَعَبْدِ الرَّحْمٰنِ بْنِ سَهْلٍ: «أَتَحْلِفُونَ، وَتَسْتَحِقُّونَ دَمَ صَاحِبِكُمْ؟» قَالُوا: لَا، قَالَ: «فَيَحْلِفُ لَكُمْ يَهُودُ»، قَالُوا: لَيْسُوا مُسْلِمِينَ، فَوَدَاهُ رَسُولُ اللهِ ﷺ مِنْ عِنْدِهِ،

[1] 'Abdullāh bin Sahl bin Zaid bin Ka'b bin 'Aamir Al-Ansāri Al-Hārithi was killed at Khaibar and his body was found in a spring with his neck broken.

[2] Abū Sa'īd Muhaiyisa bin Mas'ūd bin Ka'b Al-Hārithi Al-Ansāri Al-Madani, the paternal cousin of the murdered 'Abdullāh was a well-known *Sahābi*, who had become a Muslim before the *Hijra* and took part in the battle of Uhud, Al-Khandaq (the Trench) and the rest of the other important battles. Allāh's Messenger ﷺ also sent him to the people of Fadak to call them to Islam.

[3] He was the elder brother of Muhaiyisa who became a Muslim through Muhaiyisa's efforts. It is said that he took part in Al-Khandaq (the Trench), Uhud and the rest of the other important battles with the Prophet ﷺ.

[4] He is the brother of the aforementioned 'Abdullāh bin Sahl and his mother was Laila, daughter of Nāfi' bin 'Aamir. It is said that he fought at Badr, Uhud and at all the other important battles. He is also the one who was bitten by a snake and 'Amāra bin Hazm treated him with *Ar-Ruqya* (i.e. Qur'ānic reading and prayers) by order of the Prophet ﷺ. However, Ibn Hajar found that unlikely to be the case and hesitated to accept it as factual in his book *Al-Isāba*.

'Abdur- Rahmān bin Sahl, "Would you take an oath and make your claim regarding the blood money of your companion?" They replied, "No." He said, "Will the Jews then swear to you (that they are innocent)?" They replied, "They are not Muslims." So Allāh's Messenger ﷺ himself paid his blood money [1] and sent them one hundred she-camels. Sahl said, "A red she-camel among them kicked me." [Agreed upon].

فَبَعَثَ إِلَيْهِمْ مِائَةَ نَاقَةٍ، قَالَ سَهْلٌ: فَلَقَدْ رَكَضَتْنِي مِنْهَا نَاقَةٌ حَمْرَاءُ. مُتَّفَقٌ عَلَيْهِ.

1021. Narrated a man from *Al-Ansār*: "Allāh's Messenger ﷺ affirmed the practice of *Qasama* (taking an oath in a murder case) as it was in the *Jahiliya* times.[2] Allāh's Messenger ﷺ gave a ruling according to it for some people of *Al-Ansār* regarding a slain person whom they claimed was killed by the Jews." [Reported by Muslim].

(١٠٢١) وَعَنْ رَجُلٍ مِنَ الأَنْصَارِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ أَقَرَّ القَسَامَةَ عَلَى مَا كَانَتْ عَلَيْهِ فِي الجَاهِلِيَّةِ، وَقَضَى بِهَا رَسُولُ اللهِ ﷺ بَيْنَ نَاسٍ مِنَ الأَنْصَارِ، فِي قَتِيلٍ ادَّعَوْهُ عَلَى اليَهُودِ. رَوَاهُ مُسْلِمٌ.

Chapter 3
KILLING OF THE PEOPLE OF TRANSGRESSION

٣ - بَابُ قِتَالِ أَهْلِ البَغْيِ

1022. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "He who takes up arms against us is not one of us."[3]

(١٠٢٢) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ حَمَلَ

[1] ***Qasāmah*** (القسامة) implies a condition where the actual murderer not being identified, the suspected persons or the people of a tribe are made to make a sworn statement. Should such an incident occur, fifty people are supposed to give sworn statement to the effect that they, their tribesmen, or the people of their village have not committed the murder. This kind of oath is administered during murder trials only. No such oath is administered in the trials of other *Hudūd*. *Qasāma* may be undertaken by either of the two parties (i.e. the claimant or the defendant). In case the claimants (successors of the victims) present an evidence, or resort to this kind of swearing (in the absence of a proof) claiming that these are indeed the murderers of the victims, it becomes imperative on the defendant to pay blood money to the claimant. If the claimants are unable to do so, the defendants may similarly choose to undertake a similar oath substantiated by fifty persons. Such an oath-taking will absolve the defendants of the murder charges. The said oath-taking shall only be undertaken by those persons who are singled out and selected by none other than the petitioner himself. This is the one and only ruling of its kind that legitimizes the oath-taking on the part of a petitioner too.

[2] In this matter, the Islamic law also accepts an oath undertaken by a disbeliever. *Qasāma* does not take effect merely on an allegation made by a petitioner unless the same is supported by some strong and substantial evidence concerning the murder.

[3] To fight against a law abiding Muslim is an act incurring enormous sin. Similarly,

[Agreed upon].

عَلَيْنَا السِّلَاحَ فَلَيْسَ مِنَّا». مُتَّفَقٌ عَلَيْهِ.

1023. Narrated Abū Huraira ﷺ: The Prophet ﷺ said, "He who disobeys (the legitimate Muslim ruler), separates from the community and then dies, his death is as that of those of the *Jahilīya* era [i.e. the ignorance before Islam]."[1] [Muslim reported it].

(١٠٢٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ خَرَجَ عَنِ الطَّاعَةِ، وَفَارَقَ الجَمَاعَةَ، وَمَاتَ، فَمِيتَتُهُ مِيتَةٌ جَاهِلِيَّةٌ». أَخْرَجَهُ مُسْلِمٌ.

1024. Narrated Umm Salama ﷺ: Allāh's Messenger ﷺ said, "The party of transgressors will kill 'Ammār."[2] [Reported by Muslim].

(١٠٢٤) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «تَقْتُلُ عَمَّاراً الفِئَةُ البَاغِيَةُ». رَوَاهُ مُسْلِمٌ.

1025. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "Do you know, son of Umm 'Abd [i.e. Abdullah ibn Mas'ud], what is Allāh's ruling regarding those of this community who transgress (against the legitimate ruler)?" He replied, "Allāh and His Messenger know best." He said, "A wounded man among them should not be finished off (killed), nor should the captive (from them) be killed, nor should those who escape be pursued and no booties from them should be divided."[3] [Reported by Al-Bazzār and

(١٠٢٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «هَلْ تَدْرِي يَا ابْنَ أُمِّ عَبْدٍ! كَيْفَ حُكْمُ اللَّهِ فِيمَنْ بَغَى مِنْ هَذِهِ الأُمَّةِ؟» قَالَ: اللَّهُ وَرَسُولُهُ أَعْلَمُ، قَالَ: «لَا يُجْهَزُ عَلَى جَرِيحِهَا، وَلَا يُقْتَلُ أَسِيرُهَا، وَلَا يُطْلَبُ هَارِبُهَا، وَلَا يُقْسَمُ فَيْئُهَا». رَوَاهُ البَزَّارُ وَالحَاكِمُ، وَصَحَّحَهُ، فَوَهِمَ، لِأَنَّ فِي إِسْنَادِهِ كَوْثَرَ بْنَ حَكِيمٍ، وَهُوَ مَتْرُوكٌ.

---

threatening a Muslim with murder or frightening and intimidating him by brandishing a weapon is also a great sinful act. In case someone legitimizes the murder of a Muslim, or kills him by deeming it permissible, then there is no doubt about the apostasy of such a person. He is declared an unbeliever by a common consensus. It is permissible, however, to wage a war against the law-less Muslims who rise in rebellion against the lawful authority as mentioned in the Qur'ānic Verse: "...Fight against the one that rebels, until it complies with the Command of Allah..." 49:9, as well as other sound *Ahādith*.

[1] Obedience to an *Amir* (ruler) is obligatory as long as he does not issue a decree which requires the people to disobey the codes of Islamic law. Likewise, it is not permitted to break away from his pledge of allegiance, as long he does not commit manifest acts of apostasy. Insubordination to the *Amir* who rules according to Islamic law is an act of rebellion. Anyone breaching the authority of an *Amir* or falling out from the group, even though not reckoned a disbeliever, dies the death of those people who have gone astray. The similarity between them is that neither of them have an *Imam* or legitimate authority.

[2] He was martyred during the battle of Siffin by those who fought against 'Ali.

[3] There is no disagreement concerning the permissibility to wage a war against the people of transgression. However, there is a difference of opinion among the scholars as to the confiscation of their belongings, doing away with their wounded warriors and pursuing those who try to escape.

Al-Hakim. The latter graded it *Sahih* (authentic), but he made a mistake because Kauthar[1] bin Hakim is in its chain of narrators, and he is *Matrūk* (totally rejected)].

وَصَحَّ عَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مِنْ طُرُقٍ نَحْوُهُ مَوْقُوفاً. أَخْرَجَهُ ابْنُ أَبِي شَيْبَةَ وَالحَاكِمُ.

Something similar to the aforesaid *Hadīth* was authenticated from 'Ali ﷺ as *Mawqūf* (a saying of a Companion, i.e. 'Ali). [Ibn Abū Shaiba and Al-Hākim reported it].

(١٠٢٦) وَعَنْ عَرْفَجَةَ بْنِ شُرَيْحٍ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «مَنْ أَتَاكُمْ، وَأَمْرُكُمْ جَمِيعٌ، يُرِيدُ أَنْ يُفَرِّقَ جَمَاعَتَكُمْ، فَاقْتُلُوهُ». أَخْرَجَهُ مُسْلِمٌ.

1026. Narrated 'Arfaja bin Shuraih[2] (ﷺ): "I heard Allāh's Messenger ﷺ say, "If anyone comes to you when you are united, intending to divide your community, kill him." [Muslim reported it].

٤ - بَابُ قِتَالِ الجَانِي وَقَتْلِ المُرْتَدِّ

Chapter 4 FIGHTING AGAINST OFFENDERS AND KILLING APOSTATES

(١٠٢٧) عَنْ عَبْدِ اللهِ بْنِ عُمَرَ رَضِيَ اللهُ تعالى عنهما قال: قال رَسُولُ اللهِ ﷺ: «مَنْ قُتِلَ دُونَ مَالِهِ فَهُوَ شَهِيدٌ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ.

1027. Narrated 'Abdullāh bin 'Umar ﷺ: Allāh's Messenger ﷺ said, "He who is killed protecting his property is a martyr."[3] [Reported by Abū Dā'ud, An-Nasā'i and At-Tirmidhi. The latter graded it *Sahih* (authentic)].

(١٠٢٨) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَاتَلَ يَعْلَى بْنُ أُمَيَّةَ رَجُلاً، فَعَضَّ أَحَدُهُمَا صَاحِبَهُ، فَانْتَزَعَ يَدَهُ مِنْ فَمِهِ، فَنَزَعَ ثَنِيَّتَهُ، فَاخْتَصَمَا إِلَى النَّبِيِّ ﷺ، فَقَالَ: «أَيَعَضُّ أَحَدُكُمْ أَخَاهُ، كَمَا يَعَضُّ الفَحْلُ؟ لَا

1028. Narrated 'Imrān bin Husain ﷺ: Ya'lā bin Umaiya fought with a man and one of them bit the other. So, he pulled his hand from his mouth, pulling out one of his front teeth (in the process). Then, they brought a dispute before the Prophet ﷺ and he said, "Does one of

[1] He was a resident of Kufa and later settled at Halab. Ibn Ma'īn said about him, "He is nothing (regarding the narration of *Hadīth*)." Ahmad bin Hanbal said, "His *Ahadīth* are false."

[2] 'Arfaja bin Shuraih Ashja'i was a *Sahābi* who settled at Kufa.

[3] Another *Hadīth* relates that whosoever gets killed while safeguarding his wealth, life, progeny and religion, is a martyr, and hence secures Paradise. If a criminal attacks someone's life, wealth, spouse and children, regardless of whether the wealth happens to be scanty or abundant, and the defending person murders the attacker in the process, such a killing incurs absolutely no sin on him. This ruling is collectively agreed.

you bite as a male camel bites? "There is no blood money [1] for him." [Agreed upon, and the wording is Muslim's].

دِيَةَ لَهُ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

1029. Narrated Abū Huraira ﷺ: Abul Qāsim ﷺ said, "If any person were to look at you [in your place of privacy] without permission, and you were to throw a pebble at him and put out his eye, you would be guilty of no offence."[2] [Agreed upon]. The wording of Ahmad and An-Nasā'i, which Ibn Hibbān declared to be *Sahih* (authentic), has: "He is neither entitled to blood money nor retaliation."

(١٠٢٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ أَبُو الْقَاسِمِ ﷺ: «لَوْ أَنَّ امْرَءًا اطَّلَعَ عَلَيْكَ بِغَيْرِ إِذْنٍ، فَخَذَفْتَهُ بِحَصَاةٍ، فَفَقَأْتَ عَيْنَهُ، لَمْ يَكُنْ عَلَيكَ جُنَاحٌ». مُتَّفَقٌ عَلَيْهِ. وَفِي لَفْظٍ لأَحْمَدَ وَالنَّسَائِيِّ، وَصَحَّحَهُ ابْنُ حِبَّانَ: «فَلَا دِيَةَ لَهُ وَلَا قِصَاصَ».

1030. Narrated Al-Barā' bin 'Azib ﷺ: Allāh's Messenger ﷺ ruled that: "The owners of gardens are responsible for guarding them by day; and the owners of animals are responsible for guarding them during the night, and that any damage done by animals during the night is the responsibility of their owners."[3] [Reported by Ahmad and *Al-Arba'a* except At-Tirmidhi. Ibn Hibbān graded it *Sahih* (authentic). However, there is disagreement regarding its chain of narrators].

(١٠٣٠) وَعَنِ الْبَرَاءِ بْنِ عَازِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قَضَى رَسُولُ اللهِ ﷺ أَنَّ حِفْظَ الحَوَائِطِ بِالنَّهَارِ عَلَىٰ أَهْلِهَا، وَأَنَّ حِفْظَ المَاشِيَةِ بِاللَّيْلِ عَلَىٰ أَهْلِهَا، وَأَنَّ عَلَىٰ أَهْلِ المَاشِيَةِ مَا أَصَابَتْ مَاشِيَتُهُمْ بِاللَّيْلِ. رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، إِلَّا التِّرمِذِيَّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَفِي إِسْنَادِهِ اخْتِلَافٌ.

1031. Narrated Mu'ādh bin Jabal ﷺ regarding a man who had accepted Islam then became a Jew: "I will not sit down till he is killed,[4] that is the

(١٠٣١) وَعَنْ مُعَاذِ بْنِ جَبَلٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي رَجُلٍ أَسْلَمَ، ثُمَّ تَهَوَّدَ -: لَا أَجْلِسُ حَتَّى يُقْتَلَ، قَضَاءُ اللهِ وَرَسُولِهِ، فَأُمِرَ بِهِ

[1] Any action necessitating the payment of compensation, if undertaken to protect oneself from pain or unjust harm, is subject to be excused.

[2] This is regarding a house (or place) that is forbidden to enter without permission.

[3] This *Hadīth* implies that if a herd of cattle causes harm to someone's garden or agricultural produce during the daytime, the cattle-owner will not be subjected to any penalty. This is because it is customary for cattle to graze during the daytime. Therefore, the garden owner is supposed to take the necessary care of his garden himself. Similarly, it is also a matter of daily routine to secure one's cattle at night. Hence, it is an obligation on the cattle-owner to secure his cattle at night, and if the cattle causes harm during the night, he is responsible for that.

[4] This *Hadīth* and the one which follows narrated by Ibn 'Abbās رضي الله عنهما provide a clear evidence that the penalty of apostasy is death. If someone is forced into being a disbeliever, or forced into uttering words characterizing apostasy, he is exempted and is not

Judgement of Allāh and His Messenger (ﷺ). Hence, an order was given and he was killed." [Agreed upon]. A narration by Abū Dā'ud has: "He was asked to repent (i.e. return to Islam) before that."

فَقُتِلَ. مُتَّفَقٌ عَلَيْهِ، وَفِي رِوَايَةٍ لأَبِي دَاوُدَ: «وَكَانَ قَدِ اسْتُتِيبَ قَبْلَ ذٰلِكَ».

1032. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "Kill whoever changes his religion." [Reported by Al-Bukhāri].

(١٠٣٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ بَدَّلَ دِينَهُ فَاقْتُلُوهُ». رَوَاهُ الْبُخَارِيُّ.

1033. Narrated (Ibn 'Abbās) ﷺ: "A blind man had a slave-woman who gave birth to his child and she was reviling the Prophet ﷺ and speaking evil of him. He forbade her but she did not desist. One night he took a pickax, put it on her belly and leaned on it killing her. The Prophet ﷺ was informed about that and said, "Be witness that the spilling of her blood is lawful (with impunity)."[1] [Reported by Abū Dā'ud and its narrators are reliable].

(١٠٣٣) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ أَعْمَى كَانَتْ لَهُ أُمُّ وَلَدٍ، تَشْتِمُ النَّبِيَّ ﷺ، وَتَقَعُ فِيهِ، فَيَنْهَاهَا، فَلَا تَنْتَهِي، فَلَمَّا كَانَ ذَاتَ لَيْلَةٍ أَخَذَ المِعْوَلَ، فَجَعَلَهُ فِي بَطْنِهَا، وَاتَّكَأَ عَلَيْهَا، فَقَتَلَهَا، فَبَلَغَ ذٰلِكَ النَّبِيَّ ﷺ، فَقَالَ: «أَلَا اشْهَدُوا أَنَّ دَمَهَا هَدَرٌ». رَوَاهُ أَبُو دَاوُدَ، وَرُوَاتُه ثِقَاتٌ.

considered to be guilty by Allāh. Some scholars regard the female apostate as an exception, arguing that the ruling of death penalty does not apply to her. This is an erroneous view as she too is punishable with death, according to the majority of the Muslim scholars.

[1] This *Hadīth* amply clarifies that anyone uttering words of abuse about the Prophet ﷺ is punishable with death.

10. THE BOOK OF *HUDUD*[1] (PRESCRIBED PUNISHMENTS)

١٠ - كِتَابُ الحُدُودِ

Chapter 1 THE PRESCRIBED PUNISHMENT FOR COMMITTING FORNICATION

١ - بَابُ حَدِّ الزَّانِي

1034. Narrated Abū Huraira and Zaid bin Khālid Al-Juhani ﷺ: A man of the desert Arabs came to Allāh's Messenger ﷺ and said, "O Allāh's Messenger, I beg you by Allāh that you judge for me in accordance with the Book of Allāh. The other one – who was more learned than him – said, "Yes, judge between us in accordance with Allāh's Book and allow me (to speak)." He said, "Speak." He said, "My son who was a hired servant for this man committed fornication with his wife. When I was told that my son must be stoned to death I ransomed him with a hundred sheep and a slave-girl. However, when I asked the learned people they told me that my son should receive a hundred lashes and be banished for a year, and that stoning to death applied to this man's wife." Allāh's Messenger ﷺ replied, "By Him in Whose Hand my soul is, I shall certainly judge between you in accordance with Allāh's Book. The slave-girl and the sheep are to be returned to you, and your son shall receive a hundred lashes and be banished for a year. Unais, go to this man's wife, and if she confesses, stone[2] her to death." [Agreed upon,

(١٠٣٤) عَنْ أَبِي هُرَيْرَةَ وَزَيْدِ بْنِ خَالِدٍ الجُهَنِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَجُلاً مِنَ الأَعْرَابِ أَتَى رَسُولَ اللهِ ﷺ، فَقَالَ: يَا رَسُولَ اللهِ! أَنْشُدُكَ بِاللهِ إِلَّا قَضَيْتَ لِي بِكِتَابِ اللهِ! فَقَالَ الآخَرُ - وَهُوَ أَفْقَهُ مِنْهُ -: نَعَمْ، فَاقْضِ بَيْنَنَا بِكِتَابِ اللهِ، وَأْذَنْ لِي، فَقَالَ: قُلْ، قَالَ: إِنَّ ابْنِي كَانَ عَسِيفاً عَلَىٰ هٰذَا، فَزَنَى بِٱمْرَأَتِهِ، وَإِنِّي أُخْبِرْتُ أَنَّ عَلَى ابْنِي الرَّجْمَ، فَٱفْتَدَيْتُ مِنْهُ بِمِائَةِ شَاةٍ وَوَلِيدَةٍ، فَسَأَلْتُ أَهْلَ العِلْمِ، فَأَخْبَرُونِي أَنَّ عَلَى ابْنِي جَلْدَ مِائَةٍ وَتَغْرِيبَ عَامٍ، وَأَنَّ عَلَى ٱمْرَأَةِ هٰذَا الرَّجْمَ. فَقَالَ رَسُولُ اللهِ ﷺ: «وَالَّذِي نَفْسِي بِيَدِهِ لأَقْضِيَنَّ بَيْنَكُمَا بِكِتَابِ اللهِ، الوَلِيدَةُ وَالغَنَمُ رَدٌّ عَلَيْكَ، وَعَلَى ابْنِكَ جَلْدُ مِائَةٍ وَتَغْرِيبُ عَامٍ، وَاغْدُ يَا أُنَيْسُ! إِلَى امْرَأَةِ هٰذَا، فَإِنِ اعْتَرَفَتْ فَارْجُمْهَا». مُتَّفَقٌ عَلَيْهِ، وَهٰذَا اللَّفْظُ لِمُسْلِمٍ.

[1] *Hudūd* is a plural form of *Hadd,* which means 'to deter'. The legal punishments for fornication and similar acts are called *Hudūd* because these prescribed punishments deter the people from such acts. Sometimes the word *Hadd* is also used to denote a particular sinful act.

[2] This *Hadīth* demonstrates with evidence that the penalty of fornication for *Al-Bikr* – man

and the wording is Muslim's].

1035. Narrated 'Ubāda bin As-Sāmit ﵁: Allāh's Messenger ﷺ said, "Take from me, take from me, Allāh has indeed made a way for them (women)[1] . *Al-Bikr* (one who has not had sexual relations in a legitimate marriage) (if he commits fornication) shall receive one hundred lashes and be banished for a year. *Ath-Thaiyib* (one who has had sexual relations in a lawful marriage) (if he commits fornication) shall receive one hundred lashes [2] and be stoned to death." [Reported by Muslim].

(١٠٣٥) وَعَنْ عُبَادَةَ بْنِ الصَّامِتِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «خُذُوا عَنِّي، خُذُوا عَنِّي، فَقَدْ جَعَلَ اللَّهُ لَهُنَّ سَبِيلاً، الْبِكْرُ بِالْبِكْرِ جَلْدُ مِائَةٍ وَنَفْيُ سَنَةٍ، وَالثَّيِّبُ بِالثَّيِّبِ جَلْدُ مِائَةٍ وَالرَّجْمُ». رَوَاهُ مُسْلِمٌ.

1036. Narrated Abū Huraira ﵁: A man of the Muslims came to Allāh's Messenger ﷺ when he was in the mosque and called him saying, "O Allāh's Messenger, I have committed fornication." He turned away from him, so the man came round facing him and said, "O Allāh's Messenger, I have committed fornication." He turned away from him till he repeated that four times. When he had testified four times against his own self, Allāh's Messenger ﷺ called him and said, "Are you insane?" He replied, "No." He asked, "Have you married?" He replied, "Yes." The Prophet ﷺ thereupon said, "Take him away and stone him to death."[3] [Agreed upon].

(١٠٣٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: أَتَى رَجُلٌ مِنَ الْمُسْلِمِينَ رَسُولَ اللهِ ﷺ، وَهُوَ فِي الْمَسْجِدِ، فَنَادَاهُ، فَقَالَ: يَا رَسُولَ اللهِ! إِنِّي زَنَيْتُ، فَأَعْرَضَ عَنْهُ، فَتَنَحَّى تِلْقَاءَ وَجْهِهِ، فَقَالَ: يَا رَسُولَ اللهِ! إِنِّي زَنَيْتُ، فَأَعْرَضَ عَنْهُ، حَتَّى ثَنَّى ذٰلِكَ عَلَيْهِ أَرْبَعَ مَرَّاتٍ، فَلَمَّا شَهِدَ عَلَىٰ نَفْسِهِ أَرْبَعَ شَهَادَاتٍ دَعَاهُ رَسُولُ اللهِ ﷺ، فَقَالَ: «أَبِكَ جُنُونٌ؟» قَالَ: لَا، قَالَ: «فَهَلْ أَحْصَنْتَ؟» قَالَ: نَعَمْ، فَقَالَ النَّبِيُّ ﷺ: «اذْهَبُوا بِهِ، فَارْجُمُوهُ». مُتَّفَقٌ عَلَيْهِ.

---

or woman – is their flogging with a hundred lashes each and their expatriation from the Islamic state for the period of one year. The punishment of a hundred lashes is according to the Qur'ānic injunctions, while the banishment is an addition that is accepted by all the narrators of *Ahādith*. The punishment for adultery – committed by *Ath-Thaiyib* – is *Rajm* (being stoned to death) according to a general consensus of all the scholars. This also proves that a single confession made by an adulterer or adulteress is sufficient to establish a penal ruling on them and thus subject them to punishment.

[1] This refers to the saying of Allah in *Sūrat Al-Mā'idah*, 5:15.

[2] This *Hadīth* proves that a married adulterer or adulteress should at first be flogged and then stoned to death. However, the majority of the scholars are of the view that there is no need of flogging in this case and only *Rajm* is sufficient. They maintain that the penalty of flogging for an adulterer is no longer valid as the Prophet ﷺ did not flog Mā'iz and others, but only stoned them to death.

[3] The one who made this confession was Mā'iz Aslami. This *Hadīth* explains that a judge

1037. Narrated Ibn 'Abbās ﷺ: "When Mā'iz bin Mālik came to the Prophet [1] ﷺ he (the Prophet) said to him, "Perhaps you (only) kissed or touched or looked at (her)," he replied, "No, O Allāh's Messenger." [Reported by Al-Bukhāri].

(١٠٣٧) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: لَمَّا أَتَى مَاعِزُ بْنُ مَالِكٍ إِلَى النَّبِيِّ ﷺ قَالَ لَهُ: «لَعَلَّكَ قَبَّلْتَ، أَوْ غَمَزْتَ، أَوْ نَظَرْتَ»، قَالَ: لَا، يَا رَسُولَ اللهِ! رَوَاهُ الْبُخَارِيُّ.

1038. Narrated 'Umar bin Al-Khattāb ﷺ: He addressed the people and said, "Indeed, Allāh sent Muhammad with the Truth and revealed to him the Book, and the Verse of stoning was included in what Allāh revealed. We recited, memorized and understood it. Allāh's Messenger ﷺ had people stoned to death and we have done it also since his death. I am afraid that when a long time passes people may say, "We do not find stoning in Allāh's Book, and thus they may go astray by abandoning an obligation sent down by Allāh. Stoning is an obligation laid down in the Book[2] of Allāh, the Most High, for men and women who have married, if they commit fornication – when proof is established, or there is pregnancy, or a confession." [Agreed upon].

(١٠٣٨) وَعَنْ عُمَرَ بْنِ الْخَطَّابِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ خَطَبَ، فَقَالَ: إِنَّ اللَّهَ بَعَثَ مُحَمَّداً بِالْحَقِّ، وَأَنْزَلَ عَلَيْهِ الْكِتَابَ، فَكَانَ فِيمَا أَنْزَلَ اللَّهُ عَلَيْهِ آيَةُ الرَّجْمِ، قَرَأْنَاهَا، وَوَعَيْنَاهَا، وَعَقَلْنَاهَا، فَرَجَمَ رَسُولُ اللهِ ﷺ، وَرَجَمْنَا بَعْدَهُ، فَأَخْشَى إِنْ طَالَ بِالنَّاسِ زَمَانٌ أَنْ يَقُولَ قَائِلٌ: مَا نَجِدُ الرَّجْمَ فِي كِتَابِ اللهِ، فَيَضِلُّوا بِتَرْكِ فَرِيضَةٍ أَنْزَلَهَا اللَّهُ، وَإِنَّ الرَّجْمَ حَقٌّ فِي كِتَابِ اللهِ تَعَالَىٰ عَلَىٰ مَنْ زَنَى، إِذَا أَحْصَنَ، مِنَ الرِّجَالِ وَالنِّسَاءِ، إِذَا قَامَتِ الْبَيِّنَةُ، أَوْ كَانَ الْحَبَلُ، أَوِ الاعْتِرَافُ. مُتَّفَقٌ عَلَيْهِ.

1039. Narrated Abū Huraira ﷺ: I heard Allāh's Messenger ﷺ say, "When the

(١٠٣٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَىٰ عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «إِذَا زَنَتْ

must make a thorough investigation prior to passing a verdict in regard to the prescribed punishment lest someone should be deprived of his life due to some judgmental error.

[1] Mā'iz had confessed to have committed fornication (after having married).

[2] This *Hadīth* has been reported by all the *Muhaddithīn* except An-Nasā'i, and narrated by various Companions of the Prophet ﷺ. It has been reported by Ubai bin Ka'b that *Sūrah Al-Ahzāb* (in its originally revealed form) used to be as voluminous as *Sūrah Al-Baqarah*. It only exists now in its present form while the rest of it was abrogated. Ubai bin Ka'b reports, "We used to recite this verse to the effect that whenever a married man and woman commit an act of adultery, stone them to death!" Later, the recitation of this Verse was declared abrogated but its ruling still remained effective, which is also a kind of abrogation. A ruling concerning fornication requires one of three types of evidence, which are: a) Four witnesses, b) a confession thus made to this effect, c) pregnancy. This third condition applies to women only, but is not accepted by Imam Ash-Shafi'i and Imam Abu Hanifa. According to those who accept it as evidence, a woman – who is neither married, nor a slave – will be subjected to the punishment ruling in case her pregnancy becomes manifest.

slave-woman [1] of any of you commits fornication and the matter is clear, he should give her the prescribed flogging, but he should not revile her severely. If she does it again he should give her the prescribed flogging, but he should not revile her severely. If she does it a third time and the matter is clear, he should sell her, even if only for a rope (made) of hair." [Agreed upon, and the wording is Muslim's].

أَمَةُ أَحَدِكُمْ، فَتَبَيَّنَ زِنَاهَا، فَلْيَجْلِدْهَا الحَدَّ، وَلَا يُثَرِّبْ عَلَيْهَا، ثُمَّ إِنْ زَنَتْ فَلْيَجْلِدْهَا الحَدَّ، وَلَا يُثَرِّبْ عَلَيْهَا، ثُمَّ إِنْ زَنَتِ الثَّالِثَةَ، فَتَبَيَّنَ زِنَاهَا، فَلْيَبِعْهَا، وَلَوْ بِحَبْلٍ مِنْ شَعْرٍ». مُتَّفَقٌ عَلَيْهِ، وَهٰذَا لَفْظُ مُسْلِمٍ.

1040. Narrated 'Ali ﷺ: Allāh's Messenger ﷺ said, "Carry out the prescribed punishments on your slaves." [Reported by Abū Dā'ud. It occurs in Muslim's book as *Mawqūf* (a saying of a Companion, i.e. 'Ali)].

(١٠٤٠) وعن عليٍّ رضي الله عنه قال: قال رسولُ الله ﷺ: «أَقِيمُوا الحُدُودَ عَلَى مَا مَلَكَتْ أَيْمانُكُم» رَوَاهُ أبو دَاوُدَ، وهو في مُسْلِم مَوْقُوفٌ.

1041. Narrated 'Imrān bin Husain ﷺ: A woman of Juhaina [*Al-Ghamidiyah*] came to the Prophet ﷺ – when she was pregnant owing to fornication – and said, "O Allāh's Prophet, I have committed something for which a prescribed punishment is due, so execute it on me." Allāh's Messenger ﷺ called her guardian and said, "Treat her well and when she delivers[2] bring her to me," and he did so. Then he gave

(١٠٤١) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما، أَنَّ امْرَأَةً مِنْ جُهَيْنَةَ أَتَتِ النَّبِيَّ ﷺ، وَهِيَ حُبْلَى مِنَ الزِّنَا، فَقَالَتْ: يَا نَبِيَّ اللهِ! أَصَبْتُ حَدًّا، فَأَقِمْهُ عَلَيَّ، فَدَعَا رَسُولُ اللهِ ﷺ وَلِيَّهَا، فَقَالَ: «أَحْسِنْ إِلَيْهَا، فَإِذَا وَضَعَتْ فَأْتِنِي بِهَا»، فَفَعَلَ، فَأَمَرَ بِهَا فَشُكَّتْ عَلَيْهَا ثِيَابُهَا، ثُمَّ أَمَرَ بِهَا فَرُجِمَتْ، ثُمَّ صَلَّى عَلَيْهَا،

---

[1] This authority of subjecting a male or female slave to the appropriate punishment has been vested in the hands of his/her master. The rest of the people shall be governed by the state in this matter. If the female-slave happens to be a married one, then there is a difference of opinion among the scholars as to whether the responsibility of subjecting her to a *Shari'a* ruling devolves on the state or the master himself. Moreover, a female slave may only be flogged and the ruling of the death penalty by stoning does not apply to her. In flogging too, her punishment is limited to fifty lashes only. An evidence to this effect is a Verse from the Qur'ān which says, "...Their punishment is half that of the punishment of the (free) women." *Sūrah An-Nisā',* 4:25

[2] This *Hadīth* clarifies that a woman must not be subjected to an immediate punishment of adultery; but the possibility of her becoming pregnant should also be taken into consideration. In case she does become pregnant, she will not be subjected to the death penalty until she gives birth to her baby. After the birth of the child, the woman may be subjected to the punishment on the condition that the milk-feeding and raising of the child is arranged and taken care of by another woman. If no such woman can be arranged, her death penalty will be postponed until such a time that the child is weaned off her milk. Even if such a woman happens to be an unmarried one, no punishment will take effect until she gives birth to a child. It is stressed upon her kith and kin to treat her nicely, as usually in such a case the relatives of a woman keep uttering curses and other calumnious remarks about her.

فَقَالَ عُمَرُ: أَتُصَلِّي عَلَيْهَا يَا نَبِيَّ اللهِ! وَقَدْ زَنَتْ؟ فَقَالَ: «لَقَدْ تَابَتْ تَوْبَةً، لَوْ قُسِمَتْ بَيْنَ سَبْعِينَ مِنْ أَهْلِ المَدِينَةِ لَوَسِعَتْهُمْ، وَهَلْ وَجَدَتَ أَفْضَلَ مِنْ أَنْ جَادَتْ بِنَفْسِهَا لِلَّهِ تَعَالَى؟». رَوَاهُ مُسْلِمٌ.

order regarding her and her clothes were tied around her body. Then he gave command regarding her and she was stoned to death. He then prayed over her. 'Umar thereupon said, "Do you pray over her, O Allāh's Prophet, while she has committed fornication?" He replied, "She has repented to such an extent that if it were divided among seventy people of Al-Madīnah, it would be enough for them all. Have you found any (repentance) better than she having sacrificed herself for the sake of Allāh, the Most High?" [Reported by Muslim].

(١٠٤٢) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: رَجَمَ النَّبِيُّ ﷺ رَجُلاً مِنْ أَسْلَمَ، وَرَجُلاً مِنَ اليَهُودِ، وَٱمْرَأَةً. رَوَاهُ مُسْلِمٌ وَقِصَّةُ رَجْمِ اليَهُودِيَّيْنِ فِي الصَّحِيحَيْنِ مِنْ حَدِيثِ ابْنِ عُمَرَ.

1042. Narrated Jābir bin 'Abdullāh ﷺ: The Prophet ﷺ stoned to death a man of Aslam, another man of the Jews and a woman."[1] [Reported by Muslim]. The story of stoning to death of the two Jews occurs in the two *Sahih* books from Ibn 'Umar's *Hadīth*.

(١٠٤٣) وَعَنْ سَعِيدِ بْنِ سَعْدِ بْنِ عُبَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ فِي أَبْيَاتِنَا رُوَيْجِلٌ ضَعِيفٌ، فَخَبُثَ بِأَمَةٍ مِنْ إِمَائِهِمْ فَذَكَرَ ذٰلِكَ سَعْدٌ لِرَسُولِ اللهِ ﷺ، فَقَالَ: «اضْرِبُوهُ حَدَّهُ»، فَقَالُوا: يَا رَسُولَ اللهِ! إِنَّهُ أَضْعَفُ مِنْ ذٰلِكَ، فَقَالَ: خُذُوا عِثْكَالاً فِيهِ مِائَةُ شِمْرَاخٍ، ثُمَّ

1043. Narrated Sa'īd[2] bin Sa'd bin 'Ubāda ﷺ: A small weak man was living in our clan and he had illicit intercourse with a slave-woman of theirs. Sa'īd informed Allāh's Messenger ﷺ about that and he said, "Strike him according to his due *Hadd* (prescribed punishment)."[3] They replied, "Indeed, he is weaker than (to bear)

Observing any such remark, except the one concerning the Divine interdiction and punishment, is considered as inflicting an injury on her heart, which is an atrocity, and thus unfair and not permissible.

[1] The Prophet ﷺ executed four people by stoning in his time. The first one is the above mentioned incident of a woman, the second one was a person belonging to Banu Aslam Tribe (i.e., Mā'iz bin Mālik) and two Jewish people (a man and a woman). This explains that the *Shari'a* penal rulings will also apply to the non-believers just as they apply to Muslims.

[2] Sa'īd bin Sa'd bin 'Ubada Al-Ansāri As-Sā'idi was a *Sahābi*. It is also said that he was a *Tābi'ī* who was reliable and narrated few *Ahadīth*. He governed Yemen for 'Ali bin Abū Tālib.

[3] This *Hadīth* states that a unmarried fornicator, due to some natural cause or sickness, if becomes so weak and incapacitated that he is most likely to die after being stricken with the complete punishment of 100 lashes, some leniency may be observed in his penalty. The number of 100 lashes shall not be decreased, however, a smaller stick instead of a big stick for lashing may be used. Moreover, there may be a difference in the manner of striking as the

that." He then said, "Get a date-palm stalk with a hundred twigs and strike him just once," and they did so. [Reported by Ahmad, An-Nasā'i and Ibn Mājah. Its chain of narrators is *Hasan* (good). However, there was disagreement regarding whether it is *Mawsul* (a connected chain) or *Mursal* (missing link after the *Tābi'i*)].

اضْرِبُوهُ بِهِ ضَرْبَةً وَاحِدَةً»، فَفَعَلُوا. رَوَاهُ أَحْمَدُ وَالنَّسَائِيُّ وَابْنُ مَاجَهْ، وَإِسْنَادُهُ حَسَنٌ، لٰكِنِ اخْتُلِفَ فِي وَصْلِهِ وَإِرْسَالِهِ.

1044. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ said, "If you find anyone doing the deed of Lot's people,[1] kill the one who does it and the one to whom it is done;[2] and if you find anyone having sexual intercourse with an animal, kill him and kill the animal." [Reported by Ahmad and *Al-Arba'a*. Its narrators are reliable. However, there is some difference regarding it (i.e. its legal rulings)].

(١٠٤٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ وَجَدْتُمُوهُ يَعْمَلُ عَمَلَ قَوْمِ لُوطٍ، فَاقْتُلُوا الْفَاعِلَ وَالْمَفْعُولَ بِهِ، وَمَنْ وَجَدْتُمُوهُ وَقَعَ عَلَى بَهِيمَةٍ فَاقْتُلُوهُ وَاقْتُلُوا الْبَهِيمَةَ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَرِجَالُهُ مُوَثَّقُونَ، إِلَّا أَنَّ فِيهِ اخْتِلَافاً.

1045. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ had punished (the people) with lashes and banished[3] (them). Abu Bakr ﷺ also punished (the people) with lashes and banished (them)." [Reported by At-Tirmidhi. Its narrators are reliable. However, it was disagreed whether it is *Mawqūf* (a saying of a Companion) or *Marfū'* (attributed to the Prophet)].

(١٠٤٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا. أَنَّ النَّبِيَّ ﷺ ضَرَبَ وَغَرَّبَ، وَأَبُو بَكْرٍ ضَرَبَ وَغَرَّبَ. رَوَاهُ التِّرْمِذِيُّ، وَرِجَالُهُ ثِقَاتٌ، إِلَّا أَنَّهُ اخْتُلِفَ فِي وَقْفِهِ وَرَفْعِهِ.

---

same could be done lightly instead of whacking the same down on him with a tremendous force.

[1] i.e. Homosexuality.

[2] There is a difference of opinion among scholars in regard to the punishment for the one who commits an act of sodomy with a man or woman, even though there is no other punishment prescribed in any of the sound *Ahādith* except the death penalty. This means that the difference of opinion is in regard to the mode or manner of carrying out the capital punishment. Some are of the opinion that such a person should be stoned to death. Some observe that he should be thrown from a high place. Another group is of the view that he should be set afire. Another opinion is that the ruling of a fornicator shall be applicable on him: if married, he will be stoned to death; otherwise, he will be subjected to the penalty of 100 lashes with a possible extradition from the land. Allāh knows the best!

[3] Some scholars are of the opinion that the punishment of banishment has been abrogated and is therefore not valid any more. This *Hadīth* refutes this viewpoint on the plea that as long as the offenders were being sent into exile during the reign of the righteous caliphs, where is the evidence proving that such a ruling has been abrogated?

1046. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ cursed the effeminate men [i.e. in manners and dress etc.], and women who imitate men [in manners and dress] [1] and said, "Turn them out of your houses." [Reported by Al-Bukhāri].

(١٠٤٦) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: لَعَنَ رَسُولُ اللهِ ﷺ ٱلْمُخَنَّثِينَ مِنَ الرِّجَالِ، وَالمُتَرَجِّلَاتِ مِنَ النِّسَاءِ، وَقَالَ: «أَخْرِجُوهُمْ مِنْ بُيُوتِكُمْ». رَوَاهُ البُخَارِيُّ.

1047. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Avert the infliction of prescribed punishments as much as you can." [Ibn Mājah reported it with a *Da'if* (weak) chain of narrators].

(١٠٤٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «ٱدْفَعُوا الحُدُودَ مَا وَجَدْتُمْ لَهَا مَدْفَعاً». أَخْرَجَهُ ابْنُ مَاجَهْ، وَسَنَدُهُ ضَعِيفٌ.

At-Tirmidhi and Al-Hākim reported the aforesaid *Hadīth* from 'Aisha ﷺ with the wording: "Avert the infliction of prescribed punishments[2] on Muslims as much as you can." [It is *Da'if* (weak) too].

وَأَخْرَجَهُ التِّرْمِذِيُّ وَالحَاكِمُ، مِنْ حَدِيثِ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، بِلَفْظِ: «ٱدْرَءُوا الحُدُودَ عَنِ المُسْلِمِينَ مَا اسْتَطَعْتُمْ». وَهُوَ ضَعِيفٌ أَيْضاً.

Al-Baihāqi reported the aforesaid *Hadīth* on the authority of 'Ali (ﷺ) from his saying (i.e. *Mauquf*) with the wording: "Avert the infliction of prescribed punishments by rejecting doubtful evidences."

وَرَوَاهُ البَيْهَقِيُّ، عَنْ عَلِيٍّ، مِنْ قَوْلِهِ، بِلَفْظِ: «ٱدْرَءُوا الحُدُودَ بِالشُّبُهَاتِ».

1048. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "Avoid these filthy things (in speech and actions) which Allāh, the Most High, has forbidden. If anyone commits any of them he should conceal himself with the veil of Allāh, Most High, and turn to Allāh in repentance. Indeed, if anyone uncovers his hidden faults (to which prescribed

(١٠٤٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُما قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «ٱجْتَنِبُوا هَذِهِ القَاذُورَاتِ الَّتِي نَهَى اللَّهُ تَعَالَى عَنْهَا، فَمَنْ أَلَمَّ بِهَا فَلْيَسْتَتِرْ بِسَتْرِ اللهِ تَعَالَى، وَلْيَتُبْ إِلَى اللهِ تَعَالَى، فَإِنَّهُ مَنْ يُبْدِ لَنَا صَفْحَتَهُ نُقِمْ عَلَيْهِ كِتَابَ اللهِ تَعَالَى». رَوَاهُ الحَاكِمُ، وَهُوَ فِي المُوطَإِ مِنْ مَرَاسِيلِ زَيْدِ بْنِ أَسْلَمَ.

---

[1] This *Hadīth* proves that a man and woman practicing transvestism – assuming the manners of the opposite gender – are accursed and this is a tremendous sinful act. The eunuchs are of two kinds. Some, in their instincts and bodily physique, resemble women whereas the others resemble males. The eunuch must assume the dress and manners of the gender he naturally resembles and physically conforms to.

[2] If there is a doubt concerning the veracity of an evidence leading to a punishment verdict, such a ruling and trial must be dismissed forthwith. This *Hadīth* does not imply that no ruling should be pronounced at all, but it only implies that no punishment verdict be pronounced unless the commission of a crime becomes proven without a shadow of doubt. The people are instructed to refrain from entering a case in a court of law unless they have a complete set of evidence in their support to prove someone guilty of a crime.

punishments apply) we shall inflict on him the punishment ordained by Allāh, the Most High." [Reported by Al-Hākim, and it occurs in *Muwatta'* of Imām Mālik among Zaid bin Aslam's[1] *Ahadīth* which are *Marasil* (having a missing link after the *Tābi'i*)].

Chapter 2 THE PRESCRIBED PUNISHMENT FOR FALSE ACCUSATION OF FORNICATION

٢ - بَابُ حَدِّ القَذْفِ

1049. Narrated 'Aisha ﵂: "When my vindication came down[2] Allāh's Messenger ﷺ mounted the *Minbar* and mentioned that, then he recited the (respective Verses of) the Qur'ān. Then, when he came down, he ordered that two men and a woman [3] should be given the prescribed punishment (i.e. lashes)."[4] [Ahmad and *Al-Arba'a* reported it, and Al-Bukhāri referred to it].

(١٠٤٩) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: لَمَّا نَزَلَ عُذْرِي، قَامَ رَسُولُ اللهِ ﷺ عَلَى المِنْبَرِ، فَذَكَرَ ذٰلِكَ، وَتَلَا القُرْآنَ، فَلَمَّا نَزَلَ أَمَرَ بِرَجُلَيْنِ وَامْرَأَةٍ فَضُرِبُوا الحَدَّ. أَخْرَجَهُ أَحْمَدُ وَالأَرْبَعَةُ، وَأَشَارَ إِلَيْهِ البُخَارِيُّ.

1050. Narrated Anas bin Mālik ﵁: *Li'an* (Invoking curses) in Islam was first applied when Hilāl bin Umaiya[5]

(١٠٥٠) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: أَوَّلُ لِعَانٍ كَانَ فِي الإِسْلَامِ

[1] He was a *Sahābi* from the tribe of Al-Balawi. He belonged to Banu Al-'Ajlān clan, the allies of Banu 'Amr bin 'Auf of Al-Ansar. He witnessed Badr and it is said that he also witnessed Siffin with 'Ali. However, Hishām Al-Kalabi said, he was killed by Tulaiha bin Khuwailid Al-Asadi on the day of Bazākha in the year 11 H. at the beginning of Abū Bakr's Caliphate.

[2] *Sūrat An-Nūr*, 24:11.

[3] The men were said to have been Mistah bin Athātha and Hassān bin Thābit and the woman Hamna, daughter of Jahsh.

[4] If someone accuses a man or woman of fornication, and is unable to prove it by presenting four witnesses, his punishment shall be eighty lashes. Some hypocrites slandered 'Aisha ﵂ accusing her of adultery. They publicized and propagated this calumny with such a slyness that some of the sincere and pious believers fell prey to their machination, believed the accusation to be based on fact and did participate in gossip mongering about it. When 'Aisha ﵂ was exonerated from this accusation by the revelation of the Verses in Qur'ān, the Prophet ﷺ announced a corporal punishment for the believers, but said nothing to the hypocrites, for he left their punishment to Allāh. These three believers who were thus punished are Hassān bin Thābit, Mistah bin Athatha and Hamna bint Jahsh رضي الله عنهم.

[5] He was an Ansāri, an Ausi and a Wāqifi and was among the prominent *Sahāba*. He became a Muslim early and used to break the idols of Banu Wāqif. He witnessed Badr, Uhud and held

أَنَّ شَرِيكَ بْنَ سَحْمَاءَ قَذَفَهُ هِلَالُ بْنُ أُمَيَّةَ بِٱمْرَأَتِهِ، فَقَالَ لَهُ رَسُولُ اللهِ ﷺ: «البَيِّنَةَ، وَإِلَّا فَحَدٌّ فِي ظَهْرِكَ»، ٱلْحَدِيثَ. أَخْرَجَهُ أَبُو يَعْلَىٰ، وَرِجَالُهُ ثِقَاتٌ، وَفِي البُخَارِيِّ نَحْوُهُ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا.

accused his wife of having committed fornication with Sharik bin Sahmā[1]." Hence, Allah's Messenger ﷺ told him, "You must produce evidence or receive the prescribed punishment (i.e. lashes) on your back..."[2] [Abū Ya'la reported it, and its narrators are reliable]. Something similar to the aforesaid *Hadīth* occurs in Al-Bukhāri's book from the *Hadīth* of Ibn 'Abbās ﷺ.

(١٠٥١) وَعَنْ عَبْدِاللهِ بْنِ عَامِرِ بْنِ رَبِيعَةَ قَالَ: لَقَدْ أَدْرَكْتُ أَبَا بَكْرٍ وَعُمَرَ وَعُثْمَانَ وَمَنْ بَعْدَهُمْ، فَلَمْ أَرَهُمْ يَضْرِبُونَ المَمْلُوكَ فِي القَذْفِ إِلَّا أَرْبَعِينَ. رَوَاهُ مَالِكٌ وَالثَّوْرِيُّ فِي جَامِعِهِ.

1051. Narrated 'Abdullāh bin 'Aamir bin Rabi'a: "I have witnessed the time of Abū Bakr, 'Umar and 'Uthmān (ﷺ) and those who came after them, but I did not see them beat the slave – who has made an accusation of fornication (against someone) – except with forty lashes."[3] [Reported by Mālik and Ath-Thauri, the latter has it in his book *Al-Jāmi'*.

(١٠٥٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ قَذَفَ مَمْلُوكَهُ يُقَامُ عَلَيْهِ الحَدُّ يَوْمَ القِيَامَةِ، إِلَّا أَنْ يَكُونَ كَمَا قَالَ». مُتَّفَقٌ عَلَيْهِ.

1052. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "If anyone accuses his slave of committing fornication, he will be given the prescribed punishment on the Day of Resurrection,[4] unless it is (a true accusation) as he said." [Agreed upon].

---

the flag of Banu Wāqif on the day of the conquest of Makkah. He was one of the three who failed to join the expedition to Tabūk and were boycotted for 50 days and then pardoned.

[1] He was a Balawi and an ally of the *Ansār*. Hilāl bin Umaiya accused him of committing fornication with his wife. It is said that he attended Uhud with his father. He was the maternal brother of Barā' bin Mālik, his father's name is 'Abada bin Mu'tib and As-Sahmā' was his mother's name.

[2] If a man accuses his wife of committing adultery, he is required either to produce witnesses or invoke a curse of Allāh on him if he be of those who tell a lie (against her), or else he will have to face the punishment of slandering. If he names a person to be her accomplice in this matter, he will have to produce witnesses invariably to this end. As far as his own wife is concerned, he could escape the punishment of slandering by invoking a curse of Allāh on himself (in case he is lying about her), but what about the man whom he has accused of being an accomplice in this sinful act? He has no choice but: a) either to produce witnesses in support of his claim or b) to be ready to face the punishment for slandering.

[3] This proves that the punishment prescribed for a male or female slave is just half of what is prescribed for a free person, according to the majority of the scholars

[4] This states that if someone slanders his male or female slave with a false accusation of committing adultery, he will not be subjected to any punishment, in this life.

Chapter 3
THE PRESCRIBED PUNISHMENT FOR THEFT

٣ - بَابُ حَدِّ السَّرِقَةِ

1053. Narrated 'Aisha ﵂: Allāh's Messenger ﷺ said, "A thief's hand should not be cut off except for a quarter of a Dinār[1] and upwards." [Agreed upon, and the wording is Muslim's]. Al-Bukhāri's wording is: "A thief's hand is to be cut off for a quarter of a Dinār and upwards."

In a narration by Ahmad: "Cut off a thief's hand for a quarter of a Dinār, but do not cut it off for what is less than that."

(١٠٥٣) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تُقْطَعُ يَدُ سَارِقٍ إِلَّا فِي رُبُعِ دِينَارٍ فَصَاعِداً». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ. وَلَفْظُ الْبُخَارِيِّ: «تُقْطَعُ يَدُ السَّارِقِ فِي رُبُعِ دِينَارٍ فَصَاعِداً».

وَفِي رِوَايَةٍ لِأَحْمَدَ: «اقْطَعُوا فِي رُبُعِ دِينَارٍ، وَلَا تَقْطَعُوا فِيمَا هُوَ أَدْنَى مِنْ ذَلِكَ».

1054. Narrated Ibn 'Umar ﵄: "The Prophet ﷺ cut off a thief's hand for (stealing) a shield worth three Dirhams." [Agreed upon].

(١٠٥٤) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّ النَّبِيَّ ﷺ قَطَعَ فِي مِجَنٍّ ثَمَنُهُ ثَلَاثَةُ دَرَاهِمَ. مُتَّفَقٌ عَلَيْهِ.

1055. Narrated Abū Huraira ﵁: Allāh's Messenger ﷺ said, "May Allāh curse a thief who steals an egg and has his hand cut off, and steals a rope and has his hand cut off."[2] [Agreed upon].

(١٠٥٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَعَنَ اللَّهُ السَّارِقَ، يَسْرِقُ الْبَيْضَةَ فَتُقْطَعُ يَدُهُ، وَيَسْرِقُ الْحَبْلَ فَتُقْطَعُ يَدُهُ». مُتَّفَقٌ عَلَيْهِ أَيْضاً.

1056. Narrated 'Aisha ﵂: Allāh's Messenger ﷺ said, "Are you

(١٠٥٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «أَتَشْفَعُ فِي حَدٍّ مِنْ حُدُودِ

[1] There is a difference of opinions among scholars regarding the value and worth of the goods stolen which makes a thief subjected to the punishment of his hand being cut. A study of *Ahādith*, and the quotations from the majority of *'Ulama*, prove that any act of theft which is less than one-fourth of a *Dinār* in its worth (which used to be equivalent to 3 *Dirhams* during the days of the Companions of the Prophet ﷺ) shall not subject a thief to the punishment of the severance of his hand. A quarter *Dinār* is less than one-and-a-half grams of gold in value.

[2] In this *Hadīth*, one is instigated to develop an attitude of hatred towards the act of stealing. One is made to think how wretched and miserable the life of a thief is who has his hand cut for a mere pittance! After all, what is the worth of a quarter Dinār? Had it not been used to commit a theft, this very hand was worth the price of fifty camels. However, since it has been used to commit a criminal act, it is only worth a quarter Dinār. This *Hadīth* expresses the idea that as long as this hand was trustworthy, it was precious, but since it turned out to be a treacherous one, it has fallen into disgrace. The stealing of an egg or a rope does not call for someone's hand to be cut off by a common consensus of all the scholars. This might be an exaggeration, since stealing is one of the major sinful acts.

interceding[1] regarding one of the punishments prescribed by Allāh?" He then got up and gave an address saying, "O people, what destroyed your predecessors was just that when a person of rank (*Sharif*) among them committed a theft, they left him alone, but when a weak one (*Da'if*) of them committed a theft, they inflicted the prescribed punishment on him." [Agreed upon, and the wording is Muslim's]. Muslim reports through another chain, from 'Aisha ﷺ that she said, "A woman used to borrow (people's) properties and deny having received them, so the Prophet ﷺ ordered her hand to be cut off."

اللهِ تَعَالَى؟» ثُمَّ قَامَ، فَخَطَبَ، فَقَالَ: «أَيُّهَا النَّاسُ! إِنَّمَا أَهْلَكَ الَّذِينَ مِنْ قَبْلِكُمْ أَنَّهُمْ كَانُوا إِذَا سَرَقَ فِيهِمُ الشَّرِيفُ تَرَكُوهُ، وَإِذَا سَرَقَ فِيهِمُ الضَّعِيفُ أَقَامُوا عَلَيْهِ الحَدَّ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ. وَلَهُ مِنْ وَجْهٍ آخَرَ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَتِ ٱمْرَأَةٌ تَسْتَعِيرُ ٱلْمَتَاعَ، وَتَجْحَدُهُ فَأَمَرَ النَّبِيُّ ﷺ بِقَطْعِ يَدِهَا.

1057. Narrated Jābir ﷺ: The Prophet ﷺ said, "Cutting off the hand is not to be inflicted on a *Khā'in* (one who steals by deception), *Mukhtalis* (one who takes by force, looting) and a *Muntahib* (embezzler)."[2] [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi and Ibn Hibbān graded it *Sahih* (authentic)].

(١٠٥٧) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «لَيْسَ عَلَى خَائِنٍ وَلَا مُخْتَلِسٍ وَلَا مُنْتَهِبٍ قَطْعٌ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

[1] The incidence goes that a lady known as Fātima bint Aswad Makhzumiya, who belonged to a prominent and respectable family, committed an act of theft. As the verdict regarding the severance of her hand was pronounced, people started interceding for her acquittal. Usama bin Zaid also interceded for her. The Prophet ﷺ made a statement comprising words mentioned in this *Hadīth*. The owner of the goods that are stolen has a right to grant a pardon to the thief and to cancel having his/her hand cut off, prior to bringing the matter in a court of law. However, once the case has been handed over to the court, there is no way that the offender can be excused. His/her hand must, then, necessarily be cut off, and making an intercession for his pardon at this juncture is forbidden.

[2] Armed robbery, embezzlement and treachery do not involve the punishment of cutting the hand off. Treachery implies that a person who has been entrusted with the obligation of safeguarding the wealth belonging to another person, secretly and insincerely makes away with that person's wealth, while affecting false sincerity to his face. Robbery is depriving a person of his wealth in an open heavy-handed manner. Embezzlement is the act of taking away the unpreserved wealth of another person in his absence. The penalties for these acts of felony differ according to the opinion of the ruler just like other financial matters. The definition of stealing is thus also explained, i.e., it implies the act of taking away the safely preserved wealth of a person in his absence or making away with the safely preserved wealth while the owner is unaware of it. However, if a person borrows something from someone and later denies and flatly refuses having borrowed it at all, the prescribed punishment for such a person is the cutting off of his hand.

1058. Narrated Rāfi' bin Khadij ﷺ: I heard Allāh's Messenger ﷺ say, "The hand is not to be cut off for taking fruits or the pith (pulp) of the palm-tree."[1] [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi and Ibn Hibbān graded it *Sahih* (authentic)].

(١٠٥٨) وَعَنْ رَافِعِ بْنِ خَدِيجٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ «لَا قَطْعَ فِي ثَمَرٍ، وَلَا فِي كَثَرٍ». رَوَاهُ الْمَذْكُورُونَ وَصَحَّحَهُ أَيْضاً التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

1059. Narrated Abū Umaiya Al-Makhzūmi[2] ﷺ: A thief who had made a confession was brought to Allāh's Messenger ﷺ, but no goods were found with him. Allāh's Messenger ﷺ told him, "I do not think you have stolen." He replied, "Yes, I did."[3] He repeated it to him two or three times, so he gave command regarding him and his hand was cut off. He was then brought to him and Allāh's Messenger ﷺ said, "Ask Allāh's forgiveness and turn to Him in repentance." And he replied, "I ask Allāh's forgiveness and turn to Him in repentance." He then said three times, "O Allāh, forgive him." [Abū Dā'ud, Ahmad and An-Nasā'i reported it. The wording is Abū Dā'ud's, and its narrators are reliable (*thiqah*)].

(١٠٥٩) وَعَنْ أَبِي أُمَيَّةَ الْمَخْزُومِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أُتِيَ رَسُولُ اللهِ ﷺ بِلِصٍّ قَدِ اعْتَرَفَ اعْتِرَافاً، وَلَمْ يُوجَدْ مَعَهُ مَتَاعٌ، فَقَالَ لَهُ رَسُولُ اللهِ ﷺ: «مَا إِخَالُكَ سَرَقْتَ»، قَالَ: بَلَى، فَأَعَادَ عَلَيْهِ مَرَّتَيْنِ أَوْ ثَلَاثاً، فَأَمَرَ بِهِ، فَقُطِعَ، وَجِيءَ بِهِ، فَقَالَ: «اسْتَغْفِرِ اللَّهَ، وَتُبْ إِلَيْهِ». فَقَالَ: أَسْتَغْفِرُ اللَّهَ، وَأَتُوبُ إِلَيْهِ. فَقَالَ: «اللَّهُمَّ تُبْ عَلَيْهِ» ثَلَاثاً. أَخْرَجَهُ أَبُو دَاوُدَ، وَاللَّفْظُ لَهُ، وَأَحْمَدُ وَالنَّسَائِيُّ. وَرِجَالُهُ ثِقَاتٌ.

[1] The stealing of fruits and flowers does not necessitate the severance of a thief's hand in case there is no wall around the garden. If the garden happens to be surrounded by a wall, its contents shall be regarded as preserved ones. However, a wayfarer, who has not been offered food by the residents of the town, has a right to eat the fruits off the walled garden too.

[2] He is a *Sahābi* from Al-Hijāz who has narrated one *Hadīth*. Hammād bin Salama said, "He is a Makhzumi," and Humam bin Yahya said, "He is an *Ansāri*."

[3] This *Hadīth* explains that two factors have been taken into consideration regarding the punishment of a thief. Either the stolen goods should be recovered from him, or he himself confesses about it. It is not conditional that he confesses twice, just a single affirmation is sufficient to render him liable to punishment. There is a difference of opinion among the scholars as to whether or not a punishment be given on the basis of witnesses in case a theft occurs. In another words, if a suspect neither makes a confession nor anything is recovered out of his possession, whereas the people stand witness to the fact that he has indeed stolen the goods. The ruling concerning such a case is not unanimous on the part of all the scholars. Once the hand is severed from the wrist of a thief, it is necessary to keep it immersed in sizzling hot oil to stop bleeding. If this norm is not observed and someone dies out of an excessive bleeding, a death thus caused will make the state treasury liable to pay blood money to the successors of the dead person.

Al-Hakim reported the aforesaid *Hadīth* from the narration of Abū Huraira رضي الله عنه, with the same mean. He said in it, "Take him away and cut off (his hand), then cauterize him." [Al-Bazzār reported it too saying its chain of narrators is acceptable (i.e. not bad)].

وَأَخْرَجَهُ الحَاكِمُ، مِنْ حَدِيثِ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فَسَاقَهُ بِمَعْنَاهُ، وَقَالَ فِيهِ: اذْهَبُوا بِهِ فَاقْطَعُوهُ، ثُمَّ احْسِمُوهُ. وَأَخْرَجَهُ البَزَّارُ أَيْضاً، وَقَالَ: لَا بَأْسَ بِإِسْنَادِهِ.

1060. Narrated 'Abdur-Rahmān bin 'Auf رضي الله عنه: Allāh's Messenger ﷺ said, "A thief is not to be fined if the prescribed punishment has been inflicted[1] on him." [Reported by An-Nasā'i who graded it *Munqati*'(a broken chain of narrators). Abū Hātim said, "It is *Munkar* (rejected)."]

(١٠٦٠) وَعَنْ عَبْدِ الرَّحْمٰنِ بْنِ عَوْفٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا يُغَرَّمُ السَّارِقُ إِذَا أُقِيمَ عَلَيْهِ الْحَدُّ». رَوَاهُ النَّسَائِيُّ، وَبَيَّنَ أَنَّهُ مُنْقَطِعٌ، وَقَالَ أَبُو حَاتِمٍ: هُوَ مُنْكَرٌ.

1061. Narrated 'Abdullāh bin 'Amr bin Al-'Aas رضي الله عنهما: Allāh's Messenger ﷺ was asked about dates that are hanging (on the tree). He said, "If a needy person eats some, without taking away a supply in his garment, he is not to be blamed. However, whoever takes away any of it, he is to be fined and punished. As for one who takes away any of it – after it is put in the place where it is dried – and what he has taken amounts to the price of a shield, he must have his hand cut off." [Abū Dā'ud and An-Nasā'i reported it. Al-Hākim graded it *Sahih* (authentic)].

(١٠٦١) وَعَنْ عَبْدِاللهِ بْنِ عَمْرِو بْنِ العَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنْ رَسُولِ اللهِ ﷺ، أَنَّهُ سُئِلَ عَنِ التَّمْرِ المُعَلَّقِ، فَقَالَ: «مَنْ أَصَابَ بِفِيهِ، مِنْ ذِي حَاجَةٍ، غَيْرَ مُتَّخِذٍ خُبْنَةً، فَلَا شَيْءَ عَلَيْهِ، وَمَنْ خَرَجَ بِشَيْءٍ مِنْهُ فَعَلَيْهِ الغَرَامَةُ وَالعُقُوبَةُ، وَمَنْ خَرَجَ بِشَيْءٍ مِنْهُ بَعْدَ أَنْ يُؤْوِيَهِ الجَرِينُ، فَبَلَغَ ثَمَنَ المِجَنِّ، فَعَلَيْهِ القَطْعُ». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ وَصَحَّحَهُ الحَاكِمُ.

1062. Narrated Safwān bin Umaiya رضي الله عنه: On the occasion when the Prophet ﷺ ordered the cutting off of the hand of the thief who had stolen his cloak, and he [2] interceded regarding him, the Prophet ﷺ said to him: "Why did you not do so before bringing him to me?" [Ahmad and *Al-Arba'a* reported it. Ibn Al-Jārūd and Al-Hākim graded it *Sahih*

(١٠٦٢) وَعَنْ صَفْوَانَ بْنِ أُمَيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ لَهُ - لَمَّا أَمَرَ بِقَطْعِ الَّذِي سَرَقَ رِدَاءَهُ فَشَفَعَ فِيهِ -: «هَلَّا كَانَ ذٰلِكَ قَبْلَ أَنْ تَأْتِيَنِي بِهِ؟» أَخْرَجَهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ الجَارُودِ وَالحَاكِمُ.

[1] If the stolen goods are recovered from the thief, the same shall be returned to its rightful owner and the hand of the thief shall be cut according to a common consensus of all scholars. In case the stolen goods are destroyed, then there is a difference of opinion among the scholars regarding whether or not he should also be fined.

[2] i.e. Safwān.

(authentic)].

1063. Narrated Jābir ؓ: A thief was brought to the Prophet ﷺ and he said, "Kill him." The people said, "He has only stolen, O Allāh's Messenger." Then he said, "Cut of (his hand)," so this was done. He was brought a second time and he said, "Kill him," and he mentioned the same as he had said before. He was brought a third time and he mentioned the same as he had said before. He was brought a fourth time and the same as before was said. He was brought a fifth time and he said, "Kill him."[1] [Abū Dā'ud and An-Nasā'i reported it; the latter graded it *Munkar* (rejected)]. An-Nasā'i reported something similar to the aforesaid *Hadīth* from Al-Hārith bin Hātib[2]. Ash-Shāfi'i mentioned that the killing in the fifth time is abrogated.

(١٠٦٣) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: جِيءَ بِسَارِقٍ إِلَى النَّبِيِّ ﷺ، فَقَالَ: «اقْتُلُوهُ»، فَقَالُوا: إِنَّمَا سَرَقَ يَا رَسُولَ اللهِ! قَالَ: «اقْطَعُوهُ»، فَقُطِعَ، ثُمَّ جِيءَ بِهِ الثَّانِيَةَ، فَقَالَ: «اقْتُلُوهُ»، فَذَكَرَ مِثْلَهُ، ثُمَّ جِيءَ بِهِ الثَّالِثَةَ، فَذَكَرَ مِثْلَهُ، ثُمَّ جِيءَ بِهِ الرَّابِعَةَ كَذَلِكَ، ثُمَّ جِيءَ بِهِ الخَامِسَةَ فَقَالَ: «اقْتُلُوهُ». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَاسْتَنْكَرَهُ، وَأَخْرَجَ مِنْ حَدِيثِ الحَارِثِ بْنِ حَاطِبٍ نَحْوَهُ، وَذَكَرَ الشَّافِعِيُّ أَنَّ القَتْلَ فِي الخَامِسَةِ مَنْسُوخٌ.

Chapter 4 THE PRESCRIBED PUNISHMENT FOR DRINKING AND EXPLANATION OF INTOXICANT

٤ - بَابُ حَدِّ الشَّارِبِ وَبَيَانِ المُسْكِرِ

1064. Narrated Anas bin Mālik ؓ: A man who had drunk wine[3] was brought to the Prophet ﷺ (and he gave command regarding him) and the man was given about forty stripes (lashes)

(١٠٦٤) عَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ أُتِيَ بِرَجُلٍ قَدْ شَرِبَ الخَمْرَ، فَجَلَدَهُ بِجَرِيدَتَيْنِ نَحْوَ أَرْبَعِينَ. قَالَ: وَفَعَلَهُ أَبُو بَكْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فَلَمَّا كَانَ عُمَرُ رَضِيَ

[1] Most scholars hold that the proper order prescribed in cutting the hands and feet of a thief is that on the first commission of the crime, his right hand shall be cut off. Second time it will be his left foot, the third time his left hand and the fourth time his right foot.

[2] He was a Jumahi, a Qurashi and was born in Abyssinia (Ethiopia). He governed Makka in 66 H. for 'Abdullāh bin Az-Zubair. He served him for six years and was in charge of Al-Masā'ī for Marwān while he was the governor of Al-Madīnah for Mu'āwiya.

[3] In Arabic, the literal meaning of *Khamr* is to hide, cover or conceal. When the wine induces intoxication, it overwhelms the mind of its user and hence it is known as *Khamr*. In the terminology of *Shari'a* (the Islamic Law), anything which induces intoxication is *Harām* (forbidden), and anything which causes a person to loose his senses is a wine (intoxicant). There is a common consensus among the scholars to the effect that it is forbidden and that there is a punishment prescribed for the one who partakes of it. However, there is a

with two palm branches. Anas said: 'Abū Bakr ؓ also did that. However, when 'Umar ؓ became the caliph, he consulted the people and 'Abdur-Rahmān bin 'Auf (ؓ) said, "The mildest punishment (for drinking wine) is eighty (stripes)." So 'Umar ؓ fixed that. [Agreed upon. (The wording is Muslim's)].

اللَّهُ تَعَالَى عَنْهُ، اسْتَشَارَ النَّاسَ، فَقَالَ عَبْدُالرَّحْمٰنِ بْنُ عَوْفٍ: أَخَفُّ الْحُدُودِ ثَمَانُونَ، فَأَمَرَ بِهِ عُمَرُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ. مُتَّفَقٌ عَلَيْهِ.

Muslim has from 'Ali ؓ regarding the story of Al-Walid bin 'Uqba[1] : "The Prophet ﷺ issued the punishment of forty stripes; Abū Bakr (ؓ) also issued punishment of forty stripes, but 'Umar (ؓ) issued punishment of eighty stripes, all of them are *Sunnah*, but this one (i.e. forty stripes) is dearer to me. The *Hadīth* contains: A man gave witness that he had seen him[2] vomiting wine. 'Uthmān (ؓ) said, "He would not have vomited it unless he had drunk it (first)."

وَلِمُسْلِمٍ عَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ فِي قِصَّةِ الْوَلِيدِ بْنِ عُقْبَةَ: جَلَدَ النَّبِيُّ ﷺ أَرْبَعِينَ، وَأَبُو بَكْرٍ أَرْبَعِينَ، وَعُمَرُ ثَمَانِينَ، وَكُلٌّ سُنَّةٌ، وَهٰذَا أَحَبُّ إِلَيَّ. وَفِي الْحَدِيثِ: أَنَّ رَجُلاً شَهِدَ عَلَيْهِ أَنَّهُ رَآهُ يَتَقَيَّأُ الْخَمْرَ، فَقَالَ عُثْمَانُ إِنَّهُ لَمْ يَتَقَيَّأْهَا حَتَّى شَرِبَهَا.

1065. Narrated Mu'āwiya ؓ: The Prophet ﷺ – regarding a drunkard – said, "If he drinks wine, flog him, then if he drinks it for the second time, flog him, then if he drinks it for the third time flog him; then if he drinks it for

(١٠٦٥) وَعَنْ مُعَاوِيَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ، أَنَّهُ قَالَ فِي شَارِبِ الْخَمْرِ: «إِذَا شَرِبَ فَاجْلِدُوهُ، ثُمَّ إِذَا شَرِبَ [الثَّانِيَةَ] فَاجْلِدُوهُ، ثُمَّ إِذَا شَرِبَ الثَّالِثَةَ فَاجْلِدُوهُ، ثُمَّ إِذَا

---

difference of opinion as to what is the prescribed punishment for the person using it. During the days of the Prophet ﷺ and Abu Bakr Siddiq رضي الله عنه, the penalty of a wine-drinker was about forty lashes. 'Umar رضي الله عنه increased the punishment to become eighty lashes during his reign and that later became the standard form of punishment (accepted by all). Therefore, some of the *Imāms* have prescribed a punishment of eighty lashes in their rulings. Since the punishment of eighty lashes did not exist during the days of the Prophet ﷺ , some of the scholars are of the view that the punishment in such a case is 40 lashes. Another point of dissension in regard to the punishment is whether it is important to punish the offender necessarily by using a whip, or whether the use of a cane or a shoe will serve the purpose. According to the majority view, it is permissible to use any of these objects, (i.e., a whip, a shoe or a cane) while carrying out such punishment on a person.

[1] Al-Walid bin 'Uqba bin Abū Mu'ait Al-Qurashi was the maternal brother of 'Uthmān bin 'Affān. He became a Muslim on the day of *Al-Fath*. He was among Quraish's most humorous, tolerant, brave and poetic men. 'Uthmān appointed him to govern Kufa and then retired him for alleged alcohol drinking. He abstained from involving himself in the *Fitna* after the killing of 'Uthmān, settled at Ruqa and died there. He was buried at Bulaikh.

[2] i.e. Al-Walid.

the fourth time, you should strike his neck (i.e. kill him)." [Reported by Ahmad and *Al-Arba'a,* and the wording is Ahmad's. At-Tirmidhi mentioned what indicates that it is abrogated,[1] while Abū Dā'ud reported that clearly, from Az-Zuhri].

شَرِبَ الرَّابِعَةَ فَاضْرِبُوا عُنُقَهُ». أَخْرَجَهُ أَحْمَدُ وَهٰذَا لَفْظُهُ، وَالأَرْبَعَةُ، وَذَكَرَ التِّرْمِذِيُّ مَا يَدُلُّ عَلَىٰ أَنَّهُ مَنْسُوخٌ، وَأَخْرَجَ ذٰلِكَ أَبُو دَاوُدَ صَرِيحاً عَنِ الزُّهْرِيِّ.

1066. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "When one of you beats someone (in the prescribed punishments or otherwise), he should avoid (striking on) the face."[2] [Agreed upon].

(١٠٦٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا ضَرَبَ أَحَدُكُمْ فَلْيَتَّقِ الوَجْهَ». مُتَّفَقٌ عَلَيْهِ.

1067. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "The prescribed punishments are not to be executed in the mosques."[3] [Reported by At-Tirmidhi and Al-Hākim].

(١٠٦٧) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تُقَامُ الحُدُودُ فِي المَسَاجِدِ». رَوَاهُ التِّرْمِذِيُّ وَالحَاكِمُ.

1068. Narrated Anas ﷺ: Allāh has sent down the verses regarding the prohibition of *Khamr* (intoxicants) when there was no other liquor being drunk in Al-Madīnah except what was prepared from dates. [Muslim reported it].

(١٠٦٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَقَدْ أَنْزَلَ اللَّهُ تَحْرِيمَ الخَمْرِ، وَمَا بِالْمَدِينَةِ شَرَابٌ يُشْرَبُ إِلَّا مِنْ تَمْرٍ. أَخْرَجَهُ مُسْلِمٌ.

1069. Narrated 'Umar ﷺ: "The prohibition of *Khamr* (intoxicants) was revealed and it was (made from) five things: grapes, dates, honey, wheat and barley.[4] *Khamr* (intoxicants) includes

(١٠٦٩) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَزَلَ تَحْرِيمُ الخَمْرِ وَهِيَ مِنْ خَمْسَةٍ: مِنَ العِنَبِ، وَالتَّمْرِ، وَالعَسَلِ، وَالحِنْطَةِ،

---

[1] Imām Shāfi'i reported a general consensus [except the *Zāhiri Madh-hab* and Imam Ibn Hazm] to the effect that a wine-drinker, in no way, can be sentenced to death, no matter how often he drinks it. Similarly, each time a person is caught drinking wine, a fresh punishment ruling will be pronounced on him, regardless how often he has been penalized earlier under the same ruling, and there is a consensus of all the scholars to this end.

[2] Whenever a person is being whipped, according to a prescribed punishment thus pronounced on him, the person implementing such a sentence must avoid striking the offender's face. Even if someone disciplinary punishes a child or a woman, he must not strike them on the face.

[3] This is because the mosques are constructed for the specific purpose of worshipping Allāh. Hence, they should be kept clean and free from impurities at all times. The blood of the person (sentenced to punishment) should not be spilled there. Such places of worship are sanctified ones and that is where Allāh's mercy abounds, while prescribed punishments are Allāh's revenge.

[4] The purpose of mentioning this *Hadīth* is to explain that it is not only the wine brewed

whatever covers (i.e. affects) the mind. [Agreed upon].

وَالشَّعِيرِ، وَالخَمْرُ مَا خَامَرَ العَقْلَ. مُتَّفَقٌ عَلَيْهِ.

1070. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ said, "Every intoxicant is *Khamr* and every intoxicant is forbidden." [Muslim reported it].

(١٠٧٠) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «كُلُّ مُسْكِرٍ خَمْرٌ، وَكُلُّ مُسْكِرٍ حَرَامٌ». أَخْرَجَهُ مُسْلِمٌ.

1071. Narrated Jābir ﷺ: Allāh's Messenger ﷺ said, "Whatever intoxicates in a large amount, (even) a small amount[1] of it is prohibited." [Ahmad and *Al-Arba'a* reported it. Ibn Hibbān graded it *Sahih* (authentic)].

(١٠٧١) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَا أَسْكَرَ كَثِيرُهُ فَقَلِيلُهُ حَرَامٌ». أَخْرَجَهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1072. Narrated Ibn 'Abbās ﷺ: Raisins were soaked in the water skin for Allāh's Messenger ﷺ and he would drink it on that day, the next day and the day following. When it was the evening of the third day, he would drink it and give it (to others) to drink. Then, if something of it was left over he would pour it out.[2] [Muslim reported it].

(١٠٧٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُنْبَذُ لَهُ الزَّبِيبُ فِي السِّقَاءِ، فَيَشْرَبُهُ يَوْمَهُ، وَالغَدَ، وَبَعْدَ الغَدِ، فَإِذَا كَانَ مَسَاءُ الثَّالِثَةِ شَرِبَهُ، وَسَقَاهُ، فَإِنْ فَضَلَ شَيْءٌ أَهْرَاقَهُ. أَخْرَجَهُ مُسْلِمٌ.

1073. Narrated Umm Salama ﷺ: The Prophet ﷺ said, "Allāh did not make your cure[3] in what He had made unlawful to you." Al-Baihaqi reported it, and Ibn Hibbān graded it *Sahih* (authentic)].

(١٠٧٣) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، عَنِ النَّبِيِّ ﷺ قَالَ: «إِنَّ اللَّهَ لَمْ يَجْعَلْ شِفَاءَكُمْ فِيمَا حَرَّمَ عَلَيْكُمْ». أَخْرَجَهُ البَيْهَقِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1074. Narrated Wāil Al-Hadrami: Tāriq bin Suwaid[4] asked the Prophet ﷺ about the *Khamr* which he prepares to

(١٠٧٤) وَعَنْ وَائِلٍ الحَضْرَمِيِّ، أَنَّ طَارِقَ بْنَ سُوَيْدٍ سَأَلَ النَّبِيَّ ﷺ عَنِ الخَمْرِ يَصْنَعُهَا

---

from grapes which is forbidden. In fact, any kind of liquor, brewed from any object whatsoever, is forbidden. Moreover, anything that intoxicates is forbidden.

[1] It means that anything inducing senselessness and intoxication – when used in a big quantity – is forbidden even if the same is used in a small quantity. This is irrespective of whether or not a small dose of such an intoxicant creates a feeling of tipsiness or not.

[2] There is a possibility that such a beverage may generate an intoxicating quality. When such a beverage starts turning musty and becomes distasteful, one should destroy it. If more than three days old, such a drink is prohibited to be used. In case it degenerates into an intoxicant prior to a period of three days, the same should be destroyed immediately.

[3] This informs us that it is prohibited to utilize the forbidden articles, even for a medicinal purpose. These articles include wine, marijuana, opium and hemp, etc.

[4] He is a *Sahābi* who was also called Suwaid bin Tāriq. He was a Hadrami and also said to be a Ju'fi. He has this *Hadīth* which the people of Kufa narrated from him.

be used as a medicine. He replied, "Surely, it is not a medicine; on the contrary, it is a disease."[Reported by Muslim, Abū Dā'ud and others].

لِلدَّوَآءِ، فَقَالَ: «إِنَّهَا لَيْسَتْ بِدَوَاءٍ، وَلَكِنَّهَا دَاءٌ». أَخْرَجَهُ مُسْلِمٌ وَأَبُو دَاوُدَ وَغَيْرُهُمَا.

Chapter 5
FLOGGING AND THE ORDINANCE REGARDING AN ASSAILANT

٥ - بَابُ التَّعْزِيرِ وَحُكْمِ ٱلصَّآئِلِ

1075. Narrated Abū Burda[1] Al-Ansāri ﷺ: He heard Allah's Messenger ﷺ say, "No one should be given more than ten lashes,[2] except in the case of one of the punishments prescribed by Allāh, the Most High." [Agreed upon].

(١٠٧٥) عَنْ أَبِي بُرْدَةَ ٱلأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ سَمِعَ رَسُولَ اللهِ ﷺ يَقُولُ: «لَا يُجْلَدُ فَوْقَ عَشْرَةِ أَسْوَاطٍ إِلَّا فِي حَدٍّ مِنْ حُدُودِ اللهِ تَعَالَى». مُتَّفَقٌ عَلَيْهِ.

1076. Narrated 'Aisha ﷺ: The Prophet ﷺ said, "Overlook the minor slips of the people of good qualities (i.e. those not known for being evil doers), [3] but not offenses for which prescribed punishments have been fixed." [Reported by Ahmad, Abū Dā'ud, An-Nasā'i and Al-Baihaqi].

(١٠٧٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ النَّبِيَّ ﷺ قَالَ: «أَقِيلُوا ذَوِي الهَيْئَاتِ عَثَرَاتِهِمْ إِلَّا الحُدُودَ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ وَالبَيْهَقِيُّ.

1077. Narrated 'Ali ﷺ: "I would not feel any regret concerning a man who dies when I enforce a prescribed punishment on him, with the exception of one who has drunk *Khamr* (intoxicants). Indeed, if he were to die, I would pay blood money[4] for him..." [Al-Bukhāri

(١٠٧٧) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: مَا كُنْتُ لأُقِيمَ عَلَىٰ أَحَدٍ حَدًّا فَيَمُوتَ، فَأَجِدَ فِي نَفْسِي، إِلَّا شَارِبَ ٱلْخَمْرِ، فَإِنَّهُ لَوْ مَاتَ وَدَيْتُهُ. أَخْرَجَهُ البُخَارِيُّ.

[1] He is Hāni' bin Niyār who was a *Sahābi* from the Balawi tribe. He was an ally of *Al-Ansār*, witnessed Badr and the other battles. He died in the year 41 H. or 42 or 45 H.

[2] This *Hadith* has been understand by some scholars as a proof that no one may be subjected to a punishment of more than ten lashes except in case of a punishment thus prescribed for a certain crime. Imam Malik and Imam Ash-Shafi'i hold that an increase is permissible as long as it does not reach the least of the prescribed punishments. Others hold that there may be no increase in offenses for which there is a fixed prescribed punishment, while that for which there is no fixed punishment might be increased beyond ten lashes if it is a major offense, while minor offenses can not be punished with more than ten lashes.

[3] As far as the prescribed punishments (*Hudud*) related to the Shari'a prohibitions are concerned, they will apply to everyone, whether rich or poor, ordinary or influential, with no discrimination or distinction made to this end. However, in the matters of minor delinquencies, consideration may be given according the circumstances of time, nature of the offense and in consideration of the person involved.

[4] This *Hadīth* implies that there had also been a difference of opinion among the

reported it].

1078. Narrated Sa'īd bin Zaid ﷺ: Allāh's Messenger ﷺ said, "He who is killed protecting his wealth is a martyr." [Reported by *Al-Arba'a,* and At-Tirmidhi graded it *Sahih* (authentic)].

(١٠٧٨) وَعَنْ سَعِيدِ بْنِ زَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ قُتِلَ دُونَ مَالِهِ فَهُوَ شَهِيدٌ». رَوَاهُ ٱلأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ.

1079. Narrated 'Abdullāh[1] bin Khabbāb[2] ﷺ: I heard my father say, "I heard Allāh's Messenger ﷺ say, 'There will be *Fitan* (dissension and strife)[3] so be – in it – the slave of Allah who is killed, and do not be the killer."[4] [Ibn Abū Khaithama and Ad-Dāraqutni reported it]. Ahmad reported something similar from Khālid bin 'Urfuta.[5]

(١٠٧٩) وَعَنْ عَبْدِ اللهِ بْنِ خَبَّابٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: سَمِعْتُ أَبِي يَقُولُ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «تَكُونُ فِتَنٌ، فَكُنْ فِيهَا عَبْدَ اللهِ المَقْتُولَ، وَلَا تَكُنِ القَاتِلَ». أَخْرَجَهُ ابْنُ أَبِي خَيْثَمَةَ وَالدَّارَقُطْنِيُّ، وَأَخْرَجَ أَحْمَدُ نَحْوَهُ عَنْ خَالِدِ بْنِ عُرْفُطَةَ.

Companions of the Prophet ﷺ as to whether his flogging of the wine drinker with forty lashes was in fact a *Hadd* i.e., prescribed punishment, or the same should be construed as *Ta'zir* i.e., discretionary punishment. The same was thought to be a discretionary punishment because no prescribed punishment is mentioned in the Qur'ān. There should be no concern for the one who dies while a prescribed punishment is being carried out on him. However, if someone dies while being punished with a discretionary punishment, the state treasury shall be liable to pay blood money to the successors of the deceased person. Hence, if a wine-drinker dies due to flogging, the majority of the scholars are of the opinion that such a death shall incur blood money payment.

[1] He was among the famous *Tābi'in* and a resident of Al-Madīnah. The Haruriya (Khawārij) killed him in the year 27 H. after they disobeyed 'Ali and were on their way to An-Naharwān. After killing him they entered his house, cut open the abdomen of his slave woman and (killed the fetus) in her womb. That led to the famous battle of An-Naharwān in which 'Ali killed all the Khawārij except nine who were instrumental in the occurrence of the big *Fitna* later on.

[2] Khabbāb bin Al-Arat bin Jandala At-Tamimi was one of those who were persecuted in Allāh's cause, and one of those who took part in the battle of Badr. He died in Kufa while boycotting the battle of Siffin in 37 H. at the age of 73 years.

[3] Plural of *Fitna* meaning trials, afflictions, persecution and confusion in the religion. It also means conflicts and strifes among the Muslims.

[4] It has been stated in a previous *Hadīth* that in case a person dies defending his life, wealth and family, he will be regarded as a martyr. If he kills the assailant in the process, he incurs no sin on such a killing. This ruling applies only if the reason of contention is clearly known. If there is an uncertainty about the reason of contention, as to whether it is fair or unfair, one should not raise his hand. The safer position is to refrain from killing, since murdered one is destined to Paradise, and the murderer faces Hell-fire. If they both fight each other, they both will be subject to punishment in the Hell-Fire, if Allah Wills.

[5] He is a *Sahābi* belonging to the Qudā'a tribe and 'Udhr clan. He was the representative of Sa'd bin Abū Waqqās in Kufa. He died in the year 61 H. and it was said that Al-Mukhtār bin Abū 'Ubaid killed him after the death of Yazid i.e. after 64 H.

11. THE BOOK OF *JIHAD*[1]

١١ - كِتَابُ الجِهَادِ

1080. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "He who dies without having gone out for *Jihād*, nor has he thought about doing so, will die guilty of a kind of hypocrisy."[2] [Reported by Muslim].

(١٠٨٠) عَنْ أَبِي هُرَيرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ مَاتَ، وَلَمْ يَغْزُ، وَلَمْ يُحَدِّثْ نَفْسَهُ بِهِ، مَاتَ عَلَى شُعْبَةٍ مِنْ نِفَاقٍ». رَوَاهُ مُسْلِمٌ.

1081. Narrated Anas ﷺ: The Prophet ﷺ said, "Use your wealth, your selves and your tongues in striving against the polytheists."[3] [Ahmad and An-Nasā'i reported it, and Al-Hākim graded it *Sahih* (authentic)].

(١٠٨١) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «جَاهِدُوا المُشْرِكِينَ بِأَمْوَالِكُمْ، وَأَنْفُسِكُمْ، وَأَلْسِنَتِكُمْ». رَوَاهُ أَحْمَدُ وَالنَّسَائِيُّ، وَصَحَّحَهُ الحَاكِمُ.

1082. Narrated 'Aisha ﷺ: I said, "O Allāh's Messenger. Is *Jihād* prescribed for women?" He replied, "Yes, a *Jihād* which is without fighting;[4] it is the *Hajj* and the *'Umrah*". [Reported by Ibn Mājah and its basic meaning is in *Sahih Al-Bukhāri*].

(١٠٨٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: قُلْتُ: يَا رَسُولَ اللهِ! عَلَى النِّسَاءِ جِهَادٌ؟ قَالَ: «نَعَمْ، جِهَادٌ لَا قِتَالَ فِيهِ، هُوَ الحَجُّ وَالعُمْرَةُ». رَوَاهُ ابْنُ مَاجَهْ، وَأَصْلُهُ فِي البُخَارِيِّ.

1083. Narrated 'Abdullāh bin 'Amr ﷺ: A man came to the Prophet ﷺ asking his permission to take part in *Jihād*. He asked him, "Are your parents still alive?" He replied, "Yes." He said, "Strive in their service."[5] [Agreed upon].

(١٠٨٣) وَعَنْ عَبْدِاللهِ بْنِ عَمْرٍو رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ يَسْتَأْذِنُهُ فِي الجِهَادِ، فَقَالَ: «أَحَيٌّ وَالِدَاكَ؟» فَقَالَ: نَعَمْ، قَالَ: «فَفِيهِمَا فَجَاهِدْ». مُتَّفَقٌ عَلَيْهِ.

---

[1] *Jihād* literally means striving or struggling. In the *Shari'a* terminology it is a word used for expending one's efforts in a battle against the disbelievers. It is sometimes used to refer to striving against *Shaytan* (Satan), or against the transgressing Muslims, or one's lower desires.

[2] *Jihād* is applicable at all times, sometimes it is with sword, sometimes by spending money and sometimes merely by one's verbal endeavors. One must physically participate in an armed *Jihād* if he gets a chance to, and if not, he must at least nurse a sincere intention about it. A person who does not even harbor a least intention to take part in it, is a hypocrite.

[3] This *Hadīth* states that in accordance with the call of time, *Jihād* is obligatory on every believer, in every age. If a person becomes insensitive about it and throws the same into oblivion altogether, there remains no difference between his being a believer or a disbeliever. *Jihād* by the tongue involves establishing proofs of the Truth and inviting to Allah.

[4] It thus becomes known to us that armed *Jihād* is not an obligation on the woman. By performing *Hajj* and *'Umrah*, a woman gets the reward which a man earns from fighting on the battlefield.

[5] This *Hadīth* is an evidence that before proceeding to a battlefield, it is necessary to secure

Ahmad and Abū Dā'ud have reported something similar, from the *Hadīth* of Abū Sa'īd, and has added: "Go back and ask their permission. If they permit you (then fight in Allāh's Path), and if not, then be devoted to them."

وَلِأَحْمَدَ وَأَبِي دَاوُدَ مِنْ حَدِيثِ أَبِي سَعِيدٍ نَحْوُهُ، وَزَادَ: «ارْجِعْ، فَاسْتَأْذِنْهُمَا، فَإِنْ أَذِنَا لَكَ، وَإِلَّا فَبِرَّهُمَا».

1084. Narrated Jarir[1] Al-Bajli ﷺ: Allāh's Messenger ﷺ said, "I am not responsible for any Muslim who stays among the polytheists."[2] [Reported by *Ath-Thalātha*, and its chain of narrators is *Sahih* (authentic). However, Al-Bukhāri held that the strongest view is that it is *Mursal* (missing link after the *Tābi'ī*)].

(١٠٨٤) وَعَنْ جَرِيرٍ البَجَلِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَنَا بَرِيءٌ مِنْ كُلِّ مُسْلِمٍ يُقِيمُ بَيْنَ المُشْرِكِينَ». رَوَاهُ الثَّلَاثَةُ، وَإِسْنَادُهُ صَحِيحٌ، وَرَجَّحَ البُخَارِيُّ إِرْسَالَهُ.

1085. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "There is no emigration [3] after *Al-Fath,*[4] but only *Jihād* and good intentions." [Agreed upon].

(١٠٨٥) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا هِجْرَةَ بَعْدَ الفَتْحِ، وَلَكِنْ جِهَادٌ وَنِيَّةٌ». مُتَّفَقٌ عَلَيْهِ.

1086. Narrated Abū Mūsa Al-Ash'ari ﷺ: Allāh's Messenger ﷺ said, "The one who fights so that Allāh's Word

(١٠٨٦) وَعَنْ أَبِي مُوسَى الأَشْعَرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ

---

permission from one's parents provided they are Muslims. It is not allowed for someone to go to the battlefield if his parents forbid him to do so, since serving them is also regarded as an individual duty. However, their permission is not needed in the obligatory *Jihād*, when one has been called out by the Muslim ruler.

[1] Abū 'Amr Jarir bin 'Abdullāh bin Jābir Al-Bajli became a Muslim in 10 H., then the Prophet ﷺ spread out a cloth for him to sit on and sent him to Dhil-Khalasa and he destroyed it. He also served in Yemen during the lifetime of the Prophet ﷺ . He said, "Since I became a Muslim, the Prophet ﷺ smiled whenever he saw me." His shoes measured one foot. He took part in the conquest of Al-Madāinh and he was commanding the right wing of the Muslim army during the battle of Al-Qādisiyah. He was known as the Yūsuf of this *Ummah* and died in the year 52 H. or 54 H.

[2] Since the number of Muslims in the early days of Islam was extremely small and negligible and it was necessary to strengthen their stronghold in Al-Madīnah, Islam was not viable without migration. Hence, migration was an obligation. This *Hadīth* which is reported by Jarir belonged to the same era. However, once the conquest of Makkah was accomplished, and the tribes started entering into Islam everyday, and the region of the Islamic empire was expanded considerably, the migration to Al-Madīnah was no longer an obligation. The next *Hadīth* which is reported by Ibn 'Abbās رضي الله عنهم is concerned with the same matter. Even to this day, if a person feels constrained and fettered for the sake of Islam in *Darul-Kufr* (the land of disbelievers), it is an obligation on him to migrate towards *Darul-Islam* (the land of the Muslims).

[3] i.e. from Makkah to Al-Madīnah.

[4] i.e. the conquest of Makkah.

becomes supreme is (striving) in Allāh's Path."[1] [Agreed upon].

قَاتَلَ لِتَكُونَ كَلِمَةُ اللهِ هِيَ العُلْيَا فَهُوَ فِي سَبِيلِ اللهِ» مُتَّفَقٌ عَلَيْهِ.

1087. Narrated 'Abdullāh bin As-Sa'dī[2] : Allāh's Messenger ﷺ said, "Emigration[3] will not come to an end so long as an enemy is fought." [Reported by An-Nasā'i; Ibn Hibbān graded it *Sahih* (authentic)].

(١٠٨٧) وَعَنْ عَبْدِ اللهِ بْنِ السَّعْدِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَنْقَطِعُ الهِجْرَةُ مَا قُوتِلَ العَدُوُّ». رَوَاهُ النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1088. Narrated Nāfi': Allāh's Messenger ﷺ made an attack on Banu Al-Mustaliq when they were unaware.[4] He killed the fighting men and took the children [and women] as captives. [5] 'Abdullāh bin 'Umar told me about that. [Agreed upon].

(١٠٨٨) وَعَنْ نَافِعٍ قَالَ: أَغَارَ رَسُولُ اللهِ ﷺ عَلَىٰ بَنِي المُصْطَلِقِ، وَهُمْ غَارُّونَ، فَقَتَلَ مُقَاتِلَتَهُمْ، وسَبَى ذَرَارِيَّهُمْ. حَدَّثَنِي بِذٰلِكَ عَبْدُاللهِ بْنُ عُمَرَ. مُتَّفَقٌ عَلَيْهِ، وفِيهِ (وَأَصَابَ يَوْمَئِذٍ جُوَيْرِيَةَ).

1089. Narrated Sulaimān bin Buraidah on his father's authority (from 'Aisha ؓ): Whenever Allāh's Messenger ﷺ appointed a commander over an army or a *Sariyah*,[6] he instructed him to fear Allāh himself, and consider the welfare of the Muslims who were with him. He then used to say, "Go out for

(١٠٨٩) وَعَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا أَمَّرَ أَمِيراً عَلَىٰ جَيْشٍ أَوْ سَرِيَّةٍ، أَوْصَاهُ فِي خَاصَّتِهِ بِتَقْوَى اللهِ، وَبِمَنْ مَّعَهُ مِنَ الْمُسْلِمِينَ خَيْراً، ثُمَّ قَالَ: «اغْزُوا بِسْمِ اللهِ فِي سَبِيلِ اللهِ، قَاتِلُوا مَنْ كَفَرَ بِاللهِ، اغْزُوا، وَلَا تَغُلُّوا، وَلَا تَغْدِرُوا، [وَلَا

[1] It means that a battle fought for the sake of valor, integrity, retaliation, pillage, hypocrisy and an insatiable lust for land-grabbing, etc., are not Islamic wars even though they may be fought by the Muslim soldiers. Islamic war is the one that is fought solely for the purpose and intention of propagating Islam. During the course of events, if such a war also yields some secondary benefits, there is no harm in it and the soldiers are allowed to benefit from such.

[2] He was a *Sahābi* from the 'Aamir clan of Quraish. Al-Wāqidi said, "He died in the year 57 H." and As-Sa'di's name is 'Amr or Qadāma or 'Abdullāh bin Waqdān.

[3] i.e. from enemy-held territories to the Muslim dominated lands.

[4] When Allāh's Messenger ﷺ was informed that they were preparing to fight him, he invaded them, killed ten men and took the rest as captives. When the Prophet ﷺ freed and married Juwairiya ؓ the *Sahāba* released all the hundred captives of her people and they all became Muslims.

[5] This explains that in case the message of invitation to Islam has already been conveyed to some people, who in turn have rejected and denounced it, then it is not obligatory to send them a formal invitation to war prior to waging a war against them. It also explains that attacking an enemy by making an ambush on their territory is permissible and that the Arabs may also be enslaved.

[6] *Sariyah* is a term used for an army unit – or raiding party – which moves about at night stealthily.

Jihād in Allāh's Name in Allāh's Path and fight with those who disbelieve in Allāh. Go out for *Jihād* and do not indulge in *Ghulul,*[1] or be treacherous (violating trust), or mutilate[2] anyone, or kill a child. When you meet your enemy – the polytheists, summon them to three things, and accept whichever of them they are willing to agree to, and leave them alone: Call them to Islam, and if they agree accept it from them, and summon them to leave their homes (i.e. their lands) and transfer to the land of *Al-Muhajirin* (the Emigrants).[3] But if they refuse, then tell them they will be like the desert Arab Muslims. Thus, they will have no *Ghanimah*[4] or *Fai'*[5] unless they participate in the *Jihād* with the Muslims. If they refuse Islam, demand the *Jizya*[6] from them, and if they agree accept it from them. If they refuse seek help with Allāh, the Most High, and fight them. When you besiege a fortress and its people wish you to grant them the protection of Allāh and His Prophet, do not do so. Instead, grant them your protection, for it is less serious to break your guarantee of protection than to break the guarantee of protection of Allāh. And if they offer to (surrender and) have the matter

تُمَثِّلُوا]، وَلَا تَقْتُلُوا وَلِيداً، وَإِذَا لَقِيتَ عَدُوَّكَ مِنَ الْمُشْرِكِينَ، فَادْعُهُمْ إِلَى ثَلَاثِ خِصَالٍ، فَأَيَّتُهُنَّ أَجَابُوكَ إِلَيْهَا فَاقْبَلْ مِنْهُمْ، وَكُفَّ عَنْهُمْ: ادْعُهُمْ إِلَى الإِسْلَامِ، فَإِنْ أَجَابُوكَ فَاقْبَلْ مِنْهُمْ، ثُمَّ ادْعُهُمْ إِلَى التَّحَوُّلِ مِنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ، فَإِنْ أَبَوْا فَأَخْبِرْهُمْ أَنَّهُمْ يَكُونُونَ كَأَعْرَابِ الْمُسْلِمِينَ، وَلَا يَكُونُ لَهُمْ فِي الغَنِيمَةِ والفَيْءِ شَيْءٌ إِلَّا أَنْ يُجَاهِدُوا مَعَ الْمُسْلِمِينَ، فَإِنْ هُمْ أَبَوْا، فَاسْأَلْهُمُ الجِزْيَةَ، فَإِنْ هُمْ أَجَابُوكَ، فَاقْبَلْ مِنْهُمْ، فَإِنْ هُمْ أَبَوْا فَاسْتَعِنْ عَلَيْهِمْ بِاللهِ تَعَالَى وَقَاتِلْهُمْ، وَإِذَا حَاصَرْتَ أَهْلَ حِصْنٍ، فَأَرَادُوكَ أَنْ تَجْعَلَ لَهُمْ ذِمَّةَ اللهِ وَذِمَّةَ نَبِيِّهِ فَلَا تَفْعَلْ، وَلَكِنِ اجْعَلْ لَهُمْ ذِمَّتَكَ، فَإِنَّكُمْ أَنْ تُخْفِرُوا ذِمَمَكُمْ أَهْوَنُ مِنْ أَنْ تُخْفِرُوا ذِمَّةَ اللهِ، وَإِذَا أَرَادُوكَ أَنْ تُنْزِلَهُمْ عَلَى حُكْمِ اللهِ فَلَا تَفْعَلْ، بَلْ عَلَى حُكْمِكَ، فَإِنَّكَ لَا تَدْرِي أَتُصِيبُ فِيهِمْ حُكْمَ اللهِ أَمْ لَا». أَخْرَجَهُ مُسْلِمٌ.

[1] *Ghulūl* means stealing the war booty before its distribution.

[2] *Muthla* implies cutting off one's nose, ear or other bodily organs.

[3] This further explains that *Hijra* (migration) is valid forever, since permanently residing in a land of disbelievers makes it difficult for one to acquire instructions of the Islamic law.

[4] *Ghanimah* is the Arabic word applied to spoils of war one acquires after fighting the disbelievers and defeating them. One-fifth of the goods thus acquired is taken out, and the rest of it is distributed amongst the army. A soldier of an infantry regiment gets one share while a cavalryman acquires three.

[5] *Fai'* is a term used for the war-booty which is acquired from disbelievers without fighting them. Its one-fifth portion is not separated and the same is to be spent on the needs of the orphans, the poor, the wayfarers, the poor emigrants, and in the cause of Allah according to the decision of the caliph.

[6] *Jizya* is a monetary payment as a head-tax which a Muslim government receives from its non-Muslim subjects.

referred to Allāh's Judgement, do not grant this. Instead, let them have the matter referred to your judgement, for you do not know whether or not you will concur with the Judgement of Allāh, the Most High, regarding them." [Muslim reported it].

1090. Narrated Ka'b bin Mālik رضي الله عنه: "Whenever the Prophet ﷺ intended to go on a military expedition, he would pretend to be going somewhere else." [Agreed upon].

(١٠٩٠) وَعَنْ كَعْبِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا أَرَادَ غَزْوَةً وَرَّى بِغَيْرِهَا. مُتَّفَقٌ عَلَيْهِ.

1091. Narrated Ma'qil bin An-Nu'mān bin Muqarrin[1] رضي الله عنه: "I have witnessed (battles with) Allāh's Messenger ﷺ and if he did not fight at the beginning of the day, he deferred fighting till the sun had passed the meridian, the wind blew and help came down."[2] [Reported by Ahmad and *Ath-Thalatha*. Al-Hākim graded it *Sahih* (authentic) and its basic meaning occurs in Al-Bukhāri's *Sahih*].

(١٠٩١) وَعَنْ مَعْقِلٍ، أَنَّ النُّعْمَانَ بْنَ مُقَرِّنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: شَهِدْتُ رَسُولَ اللهِ ﷺ، إِذَا لَمْ يُقَاتِلْ أَوَّلَ النَّهَارِ أَخَّرَ الْقِتَالَ حَتَّى تَزُولَ الشَّمْسُ، وَتَهُبَّ الرِّيَاحُ وَيَنْزِلَ النَّصْرُ. رَوَاهُ أَحْمَدُ وَالثَّلَاثَةُ، وَصَحَّحَهُ الْحَاكِمُ، وَأَصْلُهُ فِي الْبُخَارِيِّ.

1092. Narrated As-Sa'b bin Jaththāma رضي الله عنه: Allāh's Messenger ﷺ was asked about the polytheists whose settlements (housing women and children) were attacked at night, so that some of their women and children were harmed." He replied, "They are from them.[3] " [Agreed upon].

(١٠٩٢) وَعَنِ الصَّعْبِ بْنِ جَثَّامَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سُئِلَ رَسُولُ اللهِ ﷺ عَنِ الذَّرَارِيِّ مِنَ الْمُشْرِكِينَ، يُبَيَّتُونَ، فَيُصِيبُونَ مِنْ نِسَائِهِمْ وَذَرَارِيِّهِمْ، فَقَالَ: «هُمْ مِنْهُمْ». مُتَّفَقٌ عَلَيْهِ.

1093. Narrated 'Aisha رضي الله عنها: The Prophet ﷺ said to a man who followed him on the Day of Badr, "Go back, for I will never ask help from a *Mushrik* (polytheist)."[4] [Reported by Muslim].

(١٠٩٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ قَالَ لِرَجُلٍ تَبِعَهُ فِي يَوْمِ بَدْرٍ: «ارْجِعْ، فَلَنْ أَسْتَعِينَ بِمُشْرِكٍ». رَوَاهُ مُسْلِمٌ.

---

[1] He was a *Sahābi* from the tribe of Muzaina and was one of the Muslim army commanders during Abū Bakr's Caliphate and 'Umar Al-Farooq رضي الله عنهما . He had migrated with seven of his brothers. He conquered Asbahān and was killed in the battle of Nahawand in the year 21 H.

[2] The best time to attack is the morning time, whereas the best time to fight the battle is the noontime, as the blessing and mercy of Allāh descend on the believers during the prayer times. An invocation made for victory during these timings is quickly accepted.

[3] The women and children of the polytheists should not be killed. However, if women and children are not discernible during a night attack and thus get killed in an ambush, there is no blame for such.

1094. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ saw a woman who had been killed in one of his military expeditions, so he disapproved of the killing of women and children.[1] [Agreed upon].

(١٠٩٤) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ رَأَى ٱمْرَأَةً مَقْتُولَةً فِي بَعْضِ مَغَازِيهِ، فَأَنْكَرَ قَتْلَ النِّسَاءِ وَالصِّبْيَانِ. مُتَّفَقٌ عَلَيْهِ.

1095. Narrated Samura ﷺ: Allāh's Messenger ﷺ said, "Kill the old men[2] who are polytheists but spare their children." [Reported by Abū Dā'ud. At-Tirmidhi graded it *Sahih* (authentic)].

(١٠٩٥) وَعَنْ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «ٱقْتُلُوا شُيُوخَ الْمُشْرِكِينَ، وَاسْتَبْقُوا شَرْخَهُمْ». رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ التِّرْمِذِيُّ.

1096. Narrated 'Ali ﷺ: At the battle of Badr, they (the Muslims and the polytheists) engaged in one-on-one combats.[3] [Reported by Al-Bukhāri. Abū Dā'ud reported it in a long *Hadīth*].

(١٠٩٦) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُمْ تَبَارَزُوا يَوْمَ بَدْرٍ. رَوَاهُ الْبُخَارِيُّ، وَأَخْرَجَهُ أَبُو دَاوُدَ مُطَوَّلاً.

1097. Narrated Abū Ayūb ﷺ: This Verse was sent down concerning us – *Al-Ansār*, meaning the saying of Allāh, the Most High: "And do not throw yourselves into destruction".[4] Abū Ayūb said that in refutation of those who disapproved of the action of he who attacked the Romans (alone) till he was amidst them.[5] [Reported by *Ath-*

(١٠٩٧) وَعَنْ أَبِي أَيُّوبَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: إِنَّمَا نَزَلَتْ هٰذِهِ الآيَةُ فِينَا مَعْشَرَ الأَنْصَارِ، يَعْنِي قَوْلَهُ تَعَالَى ﴿وَلَا تُلْقُوا۟ بِأَيْدِيكُمْ إِلَى ٱلتَّهْلُكَةِ﴾ قَالَهُ رَدًّا عَلَىٰ مَنْ أَنْكَرَ عَلَىٰ مَنْ حَمَلَ عَلَىٰ صَفِّ الرُّومِ حَتَّى دَخَلَ فِيهِمْ. رَوَاهُ الثَّلَاثَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ وَالحَاكِمُ.

[1] At first, it was forbidden to obtain any assistance from a polytheist during a war. This restriction was lifted at a later stage. There is a *Hadīth* to this effect that you will strike a peace accord with the Romans and you – Muslims and Romans – will unite to encounter the enemy.

[2] It is absolutely forbidden to deliberately murder children. It is permissible to kill a woman only in case she attacks a Muslim, otherwise the same is forbidden. The old among the disbelievers – who are strong and capable of fighting – and assist the enemy in any way, even if by offering them a piece of advice, are permitted to be killed. Otherwise, the non-combatant elderly people are not to be killed.

[3] i.e. those who are capable to fight.

[4] The Arabic word *Mubaraza* means sending an invitation to an opponent to fight and giving him an account of one's heroic deeds and acts of valor in a loud voice. Even though such an act is regarded as a vain glorious display of one's power and a boastful show of pomp and self-conceit, which is not permitted under normal circumstances, but the same is permissible during war for the sole purpose of intimidating an enemy.

[5] *Sūrat Al-Baqarah,* 2:195.

[6] This *Hadīth* clarifies that while making an attack, one should also take into account the

Thalatha. At-Tirmidhi, Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

(١٠٩٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: حَرَّقَ رَسُولُ اللهِ ﷺ نَخْلَ بَنِي النَّضِيرِ، وَقَطَّعَ. مُتَّفَقٌ عَلَيْهِ.

1098. Narrated Ibn 'Umar ؓ: Allāh's Messenger ﷺ burnt the palm trees[1] of Banu An-Nadir and cut them down. [Agreed upon].

(١٠٩٩) وَعَنْ عُبَادَةَ بْنِ الصَّامِتِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَغُلُّوا، فَإِنَّ الغُلُولَ نَارٌ وَعَارٌ عَلَى أَصْحَابِهِ فِي الدُّنْيَا وَالآخِرَةِ». رَوَاهُ أَحْمَدُ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1099. Narrated 'Ubāda bin As-Sāmit ؓ: "Allāh's Messenger ﷺ said, "Do not be take anything from the booty (before it is distributed). Verily, it will be a fire and disgrace to those who are guilty of it, in this world and in the Hereafter." [Ahmad and An-Nasā'i reported it, and Ibn Hibbān graded it *Sahih* (authentic)].

(١١٠٠) وَعَنْ عَوْفِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَضَى بِالسَّلَبِ لِلْقَاتِلِ. رَوَاهُ أَبُو دَاوُدَ، وَأَصْلُهُ عِنْدَ مُسْلِمٍ.

1100. Narrated 'Auf bin Mālik ؓ: "The Prophet ﷺ gave judgement that the killer should have whatever is taken from the man he killed[2] (in *Jihād*)." [Reported by Abū Dā'ud and its basic meaning occurs in Muslim's *Sahih*].

(١١٠١) وَعَنْ عَبْدِ الرَّحْمٰنِ بْنِ عَوْفٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي قِصَّةِ قَتْلِ أَبِي جَهْلٍ - قَالَ: فَٱبْتَدَرَاهُ بِسَيْفَيْهِمَا، حَتَّى قَتَلَاهُ، ثُمَّ ٱنْصَرَفَا إِلَى رَسُولِ اللهِ ﷺ، فَأَخْبَرَاهُ، فَقَالَ: «أَيُّكُمَا قَتَلَهُ؟ هَلْ مَسَحْتُمَا سَيْفَيْكُمَا؟» قَالَا: لَا، قَالَ: فَنَظَرَ فِيهِمَا، فَقَالَ: «كِلَاكُمَا قَتَلَهُ» فَقَضَى ﷺ بِسَلَبِهِ لِمُعَاذِ بْنِ عَمْرِو بْنِ الجَمُوحِ. مُتَّفَقٌ عَلَيْهِ.

1101. Narrated 'Abdur-Rahmān bin 'Auf ؓ: regarding the story of the killing of Abū Jahl: They then hastened to him with their swords till they killed him, after which they went to Allāh's Messenger ﷺ and informed him. He asked, "Which of you killed him? Did you wipe your swords?" They replied, "No." He looked at the swords and said, "Both of you killed him." He then ruled that what was taken from him should go to Mu'ādh bin 'Amr bin Al-Jamūh.[3] [Agreed upon].

---

ratio of the head count. If the army of the disbelievers numbers twice as much, the Muslims are obligated to fight them. However, if their ratio is greater than that, it is no more an obligation on the Muslims to fight them. This *Hadīth* is a proof of the permissibility of a single soldier attacking the enemy ranks, if he knows himself to be strong and fierce in battle.

[1] This *Hadīth* explains that anything which turns out to be a stumbling block in a war or anything providing strength to an enemy's fortification is permitted to be destroyed.

[2] The Arabic word *Salb* stands for the articles which are attached to the body of the killed person, like vestments and armors, etc. The majority of the scholars are of the view that the killer is the owner of the said articles.

[3] He was an *Ansāri* and a Khazraji of Sulami clan. He attended *Al-'Aqaba* and Badr. He is

1102. Narrated Makhul[1] : "The Prophet ﷺ set up the catapult[2] while attacking the people of Tā'if." [Abū Dā'ud reported it in *Al-Marasīl,* and its narrators are reliable. Al-'Uqaili reported it with a *Mausūl* (complete chain), that is *Da'if* (weak), from 'Ali ﷺ].

(١١٠٢) وَعَنْ مَكْحُولٍ، أَنَّ النَّبِيَّ ﷺ نَصَبَ الْمَنْجَنِيقَ عَلَىٰ أَهْلِ الطَّآئِفِ. أَخْرَجَهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ، وَرِجَالُهُ ثِقَاتٌ، وَوَصَلَهُ الْعُقَيْلِيُّ بِإِسْنَادٍ ضَعِيفٍ عَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ.

1103. Narrated Anas ﷺ: The Prophet ﷺ entered Makkah with a helmet on his head. When he took it off, a man came to him and said, "Ibn Khatal is hanging on to the curtains of the Ka'ba." He replied, "Kill him."[3] [Agreed upon].

(١١٠٣) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ دَخَلَ مَكَّةَ، وَعَلَىٰ رَأْسِهِ الْمِغْفَرُ، فَلَمَّا نَزَعَهُ جَآءَهُ رَجُلٌ، فَقَالَ: ابْنُ خَطَلٍ مُتَعَلِّقٌ بِأَسْتَارِ الْكَعْبَةِ، فَقَالَ: «اقْتُلُوهُ». مُتَّفَقٌ عَلَيْهِ.

1104. Narrated Sa'īd bin Jubair[4] ﷺ: "On the Day of Badr, Allāh's Messenger ﷺ killed three people while they were in bonds."[5] [Abū Dā'ud reported it in *Marasīl,* and its narrators are *Thiqah* (reliable)].

(١١٠٤) وَعَنْ سَعِيدِ بْنِ جُبَيْرٍ رَحِمَهُ اللَّهُ تَعَالَى، أَنَّ رَسُولَ اللهِ ﷺ قَتَلَ يَوْمَ بَدْرٍ ثَلَاثَةً صَبْرًا. أَخْرَجَهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ، وَرِجَالُهُ ثِقَاتٌ.

---

the one who cut off Abū Jahl's leg and put him down. Then, 'Ikrima bin Abū Jahl cut off Mu'ādh's hand, yet he fought the battle till it was over. He died during 'Uthmān's Caliphate.

[1] Makhul Ad-Dimashqi was the *Fiqh* scholar of Shām and one of the eminent people. Abū Hātim said, "I do not know of someone who is more learned in *Fiqh* than him." He died in the year 113 H.

[2] *Manjaniq* is a contrivance (i.e., a catapult) which hurls heavy stones at the enemy's fortifications. The purpose of mentioning this *Hadīth* here is to show that even though women, children and the elderly are likely to be killed in such indiscriminate firing, it is still permissible, especially in a situation where the enemy cloisters itself within a certain fortification and no option is left except resorting to firing the *Manjaniq* to facilitate the conquest.

[3] The name of Ibn Khatal was Abdullah. This wicked person first accepted Islam. So, the Prophet ﷺ deputed him along with an *Ansāri* on a mission to collect *Zakāt* whereupon this person apostatized and murdered his *Ansāri* companion. He stole the *Zakāt* money and fled away to Makkah. After the conquest of Makkah by the Muslims, Ibn Khatal took refuge within the premises of the Ka'ba. The Prophet ﷺ instructed his Companions to execute him forthwith. This explains that a rebellious renegade and a murderer is not eligible for asylum even within the confines of the Ka'ba.

[4] He was Al-Wālibi by clientship and a resident of Kufa. He was a *Faqih*, eminent *Imām* and an authority in the *Tafsīr* and *Hadīth*. He was the last man to be killed by Hajjāj bin Yusuf. Maimūn bin Mahrān said, "Sa'īd bin Jubair died when everybody in the world (by then) was in need of his knowledge." He was killed in 95 H. while an old man.

[5] These three persons were Tua'ma bin 'Adi, Nadr bin Hārith and 'Uqaba bin 'Abi Mu'ait. This explains that killing a person out of thirst and hunger (i.e., starving him to death) is permissible.

1105. Narrated 'Imrān bin Husain ﷺ: "Allāh's Messenger ﷺ exchanged two Muslim men[1] from captivity for a *Mushrik* man." [At-Tirmidhi reported it and graded it *Sahih* (authentic). Its basic meaning is in *Sahih* Muslim].

(١١٠٥) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما، أَنَّ رَسُولَ اللهِ ﷺ فَدَى رَجُلَيْنِ مِنَ الْمُسْلِمِينَ بِرَجُلٍ مِنَ الْمُشْرِكِينَ. أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ، وَأَصْلُهُ عِنْدَ مُسْلِمٍ.

1106. Narrated Sakhr bin Al-'Aila[2] ﷺ: The Prophet ﷺ said, "If the people (polytheists) embrace Islam, they will protect their blood and their wealth."[3] [Abū Dā'ud reported it, its narrators are reliable].

(١١٠٦) وَعَنْ صَخْرِ بْنِ الْعَيْلَةِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «إِنَّ الْقَوْمَ إِذَا أَسْلَمُوا أَحْرَزُوا دِمَاءَهُمْ [وَأَمْوَالَهُمْ]». أَخْرَجَهُ أَبو دَاوُدَ، وَرِجَالُهُ مُوَثَّقُونَ.

1107. Narrated Jubair bin Mut'im ﷺ: The Prophet ﷺ said regarding the prisoners taken at Badr, "If Al-Mut'im bin 'Adi[4] had been alive and spoken to me about these filthy ones (i.e. pagans), I would have freed them for him." [Reported by Al-Bukhāri].

(١١٠٧) وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ فِي أُسَارَىٰ بَدْرٍ: «لَوْ كَانَ الْمُطْعِمُ بنُ عَدِيٍّ حَيّاً، ثُمَّ كَلَّمَنِي فِي هَؤُلَاءِ النَّتْنَىٰ، لَتَرَكْتُهُمْ لَهُ». رَوَاهُ الْبُخَارِيُّ.

1108. Narrated Abū Sa'īd Al-Khudri ﷺ: On the Day of (the battle of) Autās, we took (women) captives who had husbands. They (the *Sahāba*) were hesitant to have intercourse with them.[5] Then Allāh, the Most High, sent down regarding that: "[Prohibited

(١١٠٨) وَعَن أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللهُ تَعَالَى عَنْهُ قَالَ: أَصَبْنَا سَبَايَا يَوْمَ أَوْطَاسٍ لَهُنَّ أَزْوَاجٌ، فَتَحَرَّجُوا، فَأَنْزَلَ اللهُ تَعَالَى ﴿وَالْمُحْصَنَاتُ مِنَ النِّسَاءِ إِلَّا مَا مَلَكَتْ أَيْمَانُكُمْ﴾ الآيَةَ، أَخْرَجَهُ مُسْلِمٌ.

---

[1] This *Hadīth* states that an exchange of prisoners is permissible. The people of Banu Thaqif captured two Companions of the Prophet ﷺ. As the Banu 'Aqil were their (Banu Thaqif's) allies, the Companions of the Prophet ﷺ captured a man from Banu 'Aqil. When the polytheists released the Companions of the Prophet ﷺ, he reciprocally released that polytheist.

[2] Sakhr bin Al-'Aila Al-Ahmasi Abū Hāzim was a *Sahābi* who narrated this *Hadīth*.

[3] Whenever a *Harbi* (a person from the land of disbelievers) embraces Islam on his own accord and out of his free will, all his wealth and property, whether movable or immovable, remains in his possession regardless of whether such a person embraces Islam in the land of disbelievers or in the land of Islam. However, if he embraces Islam after being conquered, his life is protected, but his wealth will be distributed as spoils of war.

[4] When the Prophet ﷺ returned from Tā'if after being wounded there, Muti'm bin 'Adi sheltered him and kept serving him and taking good care of him. The Prophet ﷺ here remembers his favorable acts.

[5] The previous marriages, of women who are captured in a war, are rendered null and void the moment they are captured. If such a woman is pregnant, it is permissible to have a sexual intercourse with her only after the delivery. In case not pregnant, copulation is permissible after her clearance from one menstrual period. This is irrespective of the fact whether they embrace Islam or not. Another restriction which applied to such a situation is that it is permissible to

are]... women already married, except those whom your right hands possess (captives)"[1] [Muslim reported it].

1109. Narrated Ibn 'Umar ؓ: Allāh's Messenger ﷺ sent a *Sariyah* (raiding party) to Najd and I was with them. They got many camels as spoils (of war). Each one's share was twelve camels, and they were given an additional camel each. [2] [Agreed upon].

(١١٠٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: بَعَثَ رَسُولُ اللهِ ﷺ سَرِيَّةً، وَأَنَا فِيهِمْ، قِبَلَ نَجْدٍ، فَغَنِمُوا إِبِلاً كَثِيرَةً، فَكَانَتْ سُهْمَانُهُمُ اثْنَي عَشَرَ بَعِيرًا، وَنُفِّلُوا بَعِيرًا بَعِيرًا. مُتَّفَقٌ عَلَيْهِ.

1110. Narrated (Ibn 'Umar) ؓ: "On the Day of Khaibar, Allāh's Messenger ﷺ allotted two shares for a horse and one for a foot soldier." [Agreed upon, and the wording is Al-Bukhāri's]

(١١١٠) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَسَمَ رَسُولُ اللهِ ﷺ يَوْمَ خَيْبَرَ لِلْفَرَسِ سَهْمَيْنِ، وَلِلرَّاجِلِ سَهْماً. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

Abū Dā'ud has: "He allotted three shares for a man and his horse, two for his horse and one for him."

وَلِأَبِي دَاوُدَ: أَسْهَمَ لِرَجُلٍ وَلِفَرَسِهِ ثَلَاثَةَ أَسْهُمٍ، سَهْمَيْنِ لِفَرَسِهِ، وَسَهْماً لَهُ.

1111. Narrated Ma'n bin Yazid ؓ[3] : I heard Allāh's Messenger ﷺ say, "Additional booties (*Nafl*) are to be distributed only after the *Khumus*[4] (has been separated)." [Reported by Ahmad and Abū Dā'ud. At-Tahawi graded it *Sahih* (authentic)].

(١١١١) وَعَنْ مَعْنِ بْنِ يَزِيدَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «لَا نَفْلَ إِلَّا بَعْدَ الْخُمُسِ». رَوَاهُ أَحْمَدُ وَأَبُودَاوُدَ، وَصَحَّحَهُ الطَّحَاوِيُّ.

1112. Narrated Habib bin Maslama[5]

(١١١٢) وَعَنْ حَبِيبِ بْنِ مَسْلَمَةَ رَضِيَ اللَّهُ

---

copulate with a female-slave strictly on the condition that she must fall to one's lot by a lawful distribution through a proper channel of authority and not by a random choice.

[1] *Sūrat Al-Mā'idah*, 5:24. Meaning they were allowed to cohabit with them after they were purified from one menstrual period.

[2] An infantry soldier is eligible for one share of the war booty, whereas a cavalry soldier is entitled to three shares. The commander has a right to award the eligible members of the army – on the basis of their capabilities – an additional amount of goods (*Nafl*) other than their prescribed share, out of the captured goods. This matter is collectively agreed.

[3] Ma'n bin Yazid bin Al-Akhnas As-Sulami was a *Sahābi* and son of a *Sahābi*. He witnessed the conquest of Damascus and used to reside in Kufa. He also entered Egypt and lived in Damascus. He witnessed the battle of Marj Rāhit with Ad-Dahhāk bin Qais in 64 H. and was killed in it. It was said that he used to be with Mu'āwiya during his battles.

[4] A *Khumus* was one-fifth of the booties that Allāh allocated to His Messenger ﷺ for his families' upkeep, the assistance of his relatives and the needy Muslims and spending in the cause of Allāh.

[5] Abū 'Abdur-Rahmān Al-Fihri Al-Makki was a *Sahābi* known as Habib of the Romans due to his many battle campaigns against them. He died in Armenia in the year 41 H. or 42 H. while

ﷺ: I witnessed Allāh's Messenger ﷺ give a quarter of the additional spoils (to a detachment) on the outward expedition and a third on the return journey.[1] [Reported by Abū Dā'ud. Ibn Al-Jārud, Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)]

تَعَالَى عَنْهُ قَالَ: شَهِدْتُ رَسُولَ اللهِ ﷺ، نَفَّلَ الرُّبُعَ فِي البَدْأَةِ، وَالثُّلُثَ فِي الرَّجْعَةِ. رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ الجَارُودِ وَابْنُ حِبَّانَ وَالحَاكِمُ.

1113. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ used to give to some of the detachments he sent out, additional booties (*Nafl*)[2] apart from the division made to the whole army. [Agreed upon].

(١١١٣) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُنَفِّلُ بَعْضَ مَنْ يَبْعَثُ مِنَ السَّرَايَا لِأَنْفُسِهِمْ خَاصَّةً، سِوَى قِسْمِ عَامَّةِ الجَيْشِ. مُتَّفَقٌ عَلَيْهِ.

1114. Narrated (Ibn 'Umar) ﷺ: While on our military expeditions, we used to get honey and grapes and eat them, without bringing these to the Prophet[3] ﷺ. [Reported by Al-Bukhāri. Abū Dā'ud has: "A *Khumus* was not taken from them." Ibn Hibbān graded it *Sahih* (authentic)].

(١١١٤) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا نُصِيبُ فِي مَغَازِينَا العَسَلَ وَالعِنَبَ فَنَأْكُلُهُ، وَلَا نَرْفَعُهُ. رَوَاهُ البُخَارِيُّ، وَلِأَبِي دَاوُدَ: «فَلَمْ يُؤْخَذْ مِنْهُمُ الخُمُسُ»، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1115. Narrated 'Abdullāh bin Abū Aufa ﷺ: "On the Day of Khaibar we captured food and a man would come and take as much of it as he needed and then go away." [Abū Dā'ud reported it. Ibn Al-Jārūd and Al-Hākim graded it *Sahih* (authentic)].

(١١١٥) وَعَنْ عَبْدِاللهِ بْنِ أَبِي أَوْفَى رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَصَبْنَا طَعَاماً يَوْمَ خَيْبَرَ، فَكَانَ الرَّجُلُ يَجِيءُ، فَيَأْخُذُ مِنْهُ مِقْدَارَ مَا يَكْفِيهِ، ثُمَّ يَنْصَرِفُ. أَخْرَجَهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ الجَارُودِ وَالحَاكِمُ.

1116. Narrated Ruwaifi' bin Thābit ﷺ: Allāh's Messenger ﷺ said, "He who believes in Allāh and the Last Day must not ride a riding animal belonging to the booty of the Muslims and return it when he has emaciated it;[4] or wear a

(١١١٦) وَعَنْ رُوَيْفِعِ بْنِ ثَابِتٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ كَانَ يُؤْمِنُ بِاللهِ وَاليَوْمِ الآخِرِ فَلَا يَرْكَبْ دَابَّةً مِنْ فَيْءِ المُسْلِمِينَ، حَتَّى إِذَا أَعْجَفَهَا رَدَّهَا فِيهِ،

being its governor.

[1] The greater amount granted them was due to the extra difficulties and dangers involved in fighting the enemy for a second time, while returning to the Muslim land.

[2] This *Hadīth* states that the Prophet ﷺ also used to distribute gifts to some people as a reward for them.

[3] The one-fifth portion is not taken out from the foodstuff as these are meant to be consumed by eating and not to be stored. Every soldier may partake of it even prior to the formal distribution of goods. No restriction applies to it.

[4] The vestments and horses thus captured may be used on the battlefield for necessity, and

garment belonging to the booty of the Muslims and return it when he has worn it out." [Abū Dā'ud and Ad-Dārimi reported it, and its narrators are acceptable].

وَلَا يَلْبَسْ ثَوْباً مِنْ فَيْءِ الْمُسْلِمِينَ، حَتَّى إِذَا أَخْلَقَهُ رَدَّهُ فِيهِ». أَخْرَجَهُ أَبُو دَاوُدَ وَالدَّارِمِيُّ. وَرِجَالُهُ لَا بَأْسَ بِهِمْ.

1117. Narrated Abū 'Ubaida bin Al-Jarrāh ﷺ: I heard Allāh's Messenger ﷺ say, "Muslims[1] give protection on one another's behalf." [Ahmad and Ibn Abū Shaiba reported it, but there is weakness in its chain of narrators].

(١١١٧) وَعَنْ أَبِي عُبَيْدَةَ بْنِ الْجَرَّاحِ رَضِيَ اللَّهُ [تَعَالَى] عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «يُجِيرُ عَلَى الْمُسْلِمِينَ بَعْضُهُمْ». أَخْرَجَهُ ابْنُ أَبِي شَيْبَةَ وَأَحْمَدُ، وَفِي إِسْنَادِهِ ضَعْفٌ.

At-Tayālisi has, from 'Amr bin Al-'Aas: "The least of the Muslims (in status) may give protection on their behalf."

وَلِلطَّيَالِسِيِّ مِنْ حَدِيثِ عَمْرِو بْنِ الْعَاصِ قَالَ: «يُجِيرُ عَلَى الْمُسْلِمِينَ أَدْنَاهُمْ».

In the two *Sahih* books, on the authority of 'Ali ﷺ: "The protection given by one Muslim is on behalf of the rest, and the least of them can grant it." Ibn Mājah added, through another chain: "The most distant of them may give protection on their behalf."

وَفِي الصَّحِيحَيْنِ عَنْ عَلِيٍّ قَالَ: «ذِمَّةُ الْمُسْلِمِينَ وَاحِدَةٌ، يَسْعَى بِهَا أَدْنَاهُمْ». زَادَ ابْنُ مَاجَهْ مِنْ وَجْهٍ آخَرَ: «وَيُجِيرُ عَلَيْهِمْ أَقْصَاهُمْ».

In the two *Sahih* books, Al-Bukhāri and Muslim, it is reported from the *Hadīth* of Umm Hani[2] : "We (the Muslims) have given protection to those to whom you (Umm Hani) have granted it."

وَفِي الصَّحِيحَيْنِ مِنْ حَدِيثِ أُمِّ هَانِيءٍ: «قَدْ أَجَرْنَا مَنْ أَجَرْتِ».

1118. Narrated 'Umar ﷺ: He heard Allah's Messenger ﷺ say, "I will certainly expel the Jews and the Christians from the Arabian Peninsula[3] until I have not left (in it) anyone except a Muslim." [Reported by Muslim].

(١١١٨) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ سَمِعَ رَسُولَ اللهِ ﷺ يَقُولُ: لأُخْرِجَنَّ الْيَهُودَ وَالنَّصَارَى مِنْ جَزِيرَةِ الْعَرَبِ، حَتَّى لَا أَدَعَ إِلَّا مُسْلِماً». رَوَاهُ مُسْلِمٌ.

---

then returned to the spoils. Otherwise, it is prohibited to utilize them. Some scholars are of the opinion that such things must not be utilized even momentarily, except on the condition of securing a formal permission from the concerned commander-in-chief.

[1] This *Hadīth* implies that not only the *Imām* may grant the disbelievers asylum. In fact, anyone among the Muslims, whether a woman or a man, young (adult) or old, rich or poor, an ordinary soldier or a commander, has a right to grant asylum. In case a Muslim grants such an asylum to a disbeliever, it becomes an obligation on all the Muslims to honor it. Even a reigning *Imām* may not breach an asylum thus granted.

[2] She was the daughter of Abū Tālib Al-Hashimiya and sister of 'Ali bin Abū Tālib رضي الله عنه. Her name was Fakhita or Hind and she became a Muslim at the conquest of Makkah.

[3] The Arabian Peninsula is that part of the earth which is surrounded by the Indian Ocean, the Mediterranean Sea, and the rivers of Tigris and Euphrates. Lengthwise, it extends from 'Aden to the outer fringes of Syria. In terms of its breadth, it spans from Jeddah to the

1119. Narrated ('Umar) ﷺ: "The wealth of Banu An-Nadir was part of what Allāh bestowed (as *Fai'* -Booty) on His Messenger ﷺ from that which the Muslims had not gained by riding on horses or camels. Hence, they belonged specially to the Prophet ﷺ who would give his family (from it) their sustenance for a year. Then, he used whatever remained [1] for horses and weapons, as preparations (for Jihad) in the Path of Allāh, the Mighty and the Majestic." [Agreed upon].

(١١١٩) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَتْ أَمْوَالُ بَنِي النَّضِيرِ مِمَّا أَفَاءَ اللَّهُ عَلَى رَسُولِهِ، مِمَّا لَمْ يُوجِفْ عَلَيْهِ الْمُسْلِمُونَ بِخَيْلٍ وَلَا رِكَابٍ، فَكَانَتْ لِلنَّبِيِّ ﷺ خَاصَّةً، فَكَانَ يُنْفِقُ عَلَى أَهْلِهِ نَفَقَةَ سَنَةٍ، وَمَا بَقِيَ يَجْعَلُهُ فِي الْكُرَاعِ وَالسِّلَاحِ، عُدَّةً فِي سَبِيلِ اللهِ عَزَّ وَجَلَّ. مُتَّفَقٌ عَلَيْهِ.

1120. Narrated Mu'ādh (bin Jabal) ﷺ: "We went on an expedition to Khaibar along with Allāh's Messenger ﷺ and we captured some sheep. So, Allāh's Messenger ﷺ divided some of them among us and assigned the rest of them as booty." [Reported by Abū Dā'ud, and its narrators are acceptable].

(١١٢٠) وَعَنْ مُعَاذٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: غَزَوْنَا مَعَ رَسُولِ اللهِ ﷺ خَيْبَرَ، فَأَصَبْنَا فِيهَا غَنَماً، فَقَسَمَ فِينَا رَسُولُ اللهِ ﷺ طَائِفَةً، وَجَعَلَ بَقِيَّتَهَا فِي الْمَغْنَمِ. رَوَاهُ أَبُو دَاوُدَ، وَرِجَالُهُ لَا بَأْسَ بِهِمْ.

1121. Narrated Abū Rāfi' ﷺ: Allah's Messenger ﷺ said, "I do not break a covenant[2] or imprison messengers." [Reported by Abū Dā'ud and An-Nasā'i, and Ibn Hibbān graded it *Sahih* (authentic)].

(١١٢١) وَعَنْ أَبِي رَافِعٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنِّي لَا أَخِيسُ بِالْعَهْدِ، وَلَا أَحْبِسُ الرُّسُلَ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

---

surrounding regions of Iraq. Some people observed that the Arabian Peninsula is meant to be the region of Hijāz comprising Makkah, Al-Madīnah, Yamamah, Tā'if and their outskirts. This is how the term Hijāz is used in some of the old narratives. It thus becomes known that it is compulsory to expel all the Jews and polytheists from the Arabian Peninsula but their ouster from Hijāz has been solicited more emphatically.

[1] The soldiers have no share in the goods of *Fai'* – the chattels seized upon by the Muslims without having to fight – in their capacity as soldiers. The Prophet ﷺ and later on his caliphs, in accordance with the Divine instructions, used to distribute and spend the money realized from it on: the expenditure incurred by the family members of the Prophet ﷺ; the daily expenses of the relatives of the Prophet ﷺ; payments made to the orphans; financial assistance provided to the poor; and on hospitality offered to the travelers and wayfarers. The remainder of the money (if saved) was spent for the purchase of horses and other armaments.

[2] This *Hadīth* indicates that causing the breach of a war-related treaty and thereby arresting and stopping the disbelievers is not permitted. The incidence goes that Abū Rāfi' (the freed-slave of the Prophet ﷺ) came to the Prophet ﷺ, prior to his embracing Islam, as an emissary on behalf of the disbelievers. The moment he sighted the Prophet ﷺ, he embraced Islam. Then he requested the Prophet ﷺ to stop him then and there, as he did not like to go back to the disbelievers. Upon hearing this, the Prophet ﷺ expressed these words mentioned in this *Hadīth*.

1122. Narrated Abū Huraira ؓ: Allāh's Messenger ﷺ said, "Whatever town you take peacefully,[1] your portion (*Fai'*) is in it; but whatever town disobeys Allāh and His Messenger, a fifth of (its booty) goes to Allāh and His Messenger and what remains (*Ghanima*) is yours." [Reported by Muslim].

(١١٢٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «أَيُّمَا قَرْيَةٍ أَتَيْتُمُوهَا، فَأَقَمْتُمْ فِيهَا، فَسَهْمُكُمْ فِيهَا، وَأَيُّمَا قَرْيَةٍ عَصَتِ اللَّهَ وَرَسُولَهُ، فَإِنَّ خُمُسَهَا لِلَّهِ وَرَسُولِهِ، ثُمَّ هِيَ لَكُمْ». رَوَاهُ مُسْلِمٌ.

Chapter 1
JIZYA AND *HUDNA*[2]
(HEAD TAX AND TRUCE)

١ - بَابُ الجِزْيَةِ وَالهُدْنَةِ

1123. Narrated 'Abdur-Rahmān bin 'Auf ؓ: The Prophet ﷺ took it – i.e., the *Jizya* – from the Magians of Hajar. [Reported by Al-Bukhāri. It has another chain in *Al-Muwatta'* of Imām Mālik which is *Munqati'* (a broken chain)].

(١١٢٣) عَنْ عَبْدِ الرَّحْمٰنِ بْنِ عَوْفٍ، أَنَّ النَّبِيَّ ﷺ أَخَذَهَا، يَعْنِي الجِزْيَةَ، مِنْ مَجُوسِ هَجَرَ. رَوَاهُ البُخَارِيُّ، وَلَهُ طَرِيقٌ فِي المُوَطَّإِ، فِيهَا انْقِطَاعٌ.

1124. Narrated 'Aasim[3] bin 'Umar from Anas and from 'Uthmān bin Abū Sulaimān[4] ؓ: The Prophet ﷺ sent Khālid bin Al-Walid (ؓ) to Ukaidir of Daūmat-al-Jandal,[5] and then they seized him and brought him. He then spared his life and made peace with him on condition that he should pay *Jizya*. [Reported by Abū Dā'ud].

(١١٢٤) وَعَنْ عَاصِمِ بْنِ عُمَرَ، عَنْ أَنَسٍ، وَعَنْ عُثْمَانَ بْنِ أَبِي سُلَيْمَانَ رَضِيَ اللَّهُ تَعَالَى أَنَّ النَّبِيَّ ﷺ بَعَثَ خَالِدَ بْنَ الوَلِيدِ إِلَى أُكَيْدِرِ دُومَةِ الجَنْدَلِ فَأَخَذُوهُ، فَأَتَوا بِهِ فَحَقَنَ دَمَهُ وَصَالَحَهُ عَلَى الجِزْيَةِ. رَوَاهُ أَبُو دَاوُدَ.

1125. Narrated Mu'ādh bin Jabal ؓ: The Prophet ﷺ sent me to Yemen and

(١١٢٥) وَعَنْ مُعَاذِ بْنِ جَبَلٍ قَالَ: بَعَثَنِي النَّبِيُّ ﷺ إِلَى اليَمَنِ فَأَمَرَنِي أَنْ آخُذَ مِنْ كُلِّ

[1] The first township alludes to the one where there is no fighting or bloodshed involved. The share of the warriors in a booty thus acquired from such a township is equal to the share of other Muslims. The second township implies the one where the fighting occurs. The one-fifth portion of the booty thus acquired shall be first taken out, then the rest of it shall be distributed among the soldiers.

[2] *Jizya* is a monetary payment which an Islamic government realizes from its non-believing citizens as a head tax, which in turn is spent for their safety and welfare. *Hudna* implies a truce or armistice that is a temporary suspension of war for a stipulated period.

[3] Abū 'Umar 'Aasim bin 'Umar bin Qatāda bin An-Nu'mān Al-Ansāri was a reliable *Tābi'i* who narrated many *Ahādith*. He was also knowledgeable regarding the accounts of the Islamic history from the advent of the Prophet ﷺ and the military expeditions. The year of his death has been differed on as being 119 H., 120 H., 121 H., 127 H., and 129 H.

[4] 'Uthmān bin Abū Sulaimān bin Jubair bin Mut'im was the *Qādi* of Makkah; and Ahmad, Ibn Ma'īn and Abū Hātim verified him as reliable.

[5] Damatal-Jandal was a fortress near Tabūk held by Ukaidir who was a Christian, and this incident took place in the year 9 H. during the expedition of Tabūk.

commanded me to take (*Jizya*) from everyone,[1] who had reached puberty, a Dinār or its equivalent in *Ma'āfiri*,'[2] [*Ath-Thalātha* reported it. Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

حَالِمٍ دِينَاراً، أَوْ عِدْلَهُ مُعَافِرِيًّا. أَخْرَجَهُ الثَّلَاثَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

1126. Narrated 'A'idh bin 'Amr Al-Muzani[3] ﷺ: The Prophet ﷺ said, "Islam is always superior and can never be surpassed."[4] [Ad-Dāraqutni reported it].

(١١٢٦) وَعَنْ عَائِذِ بْنِ عَمْرٍو المُزَنِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «الإِسْلَامُ يَعْلُو، وَلَا يُعْلَى» أَخْرَجَهُ الدَّارَقُطْنِيُّ.

1127. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Do not initiate greeting the Jews and Christians (saying: *As-Salaamu Alaikum*) (before they salute you),[5] and when you meet one of them on the road force him to go through the narrowest part of it." [Reported by Muslims].

(١١٢٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا تَبْدَءُوا اليَهُودَ وَالنَّصَارَى بِالسَّلَامِ، وَإِذَا لَقِيتُمْ أَحَدَهُمْ فِي طَرِيقٍ فَاضْطَرُّوهُ إِلَى أَضْيَقِهِ». رَوَاهُ مُسْلِمٌ.

1128. Narrated Al-Miswar bin Makhrama and Marwān[6] : The Prophet ﷺ went out in the year of *Al-Hudaibiya* – the narrator narrated the complete *Hadīth* and it contains: "This is what Muhammad bin 'Abdullāh has

(١١٢٨) وَعَنِ المِسْوَرِ بْنِ مَخْرَمَةَ وَمَرْوَانَ أَنَّ النَّبِيَّ ﷺ خَرَجَ عَامَ الحُدَيْبِيَةِ، فَذَكَرَ الحَدِيثَ بِطُولِهِ، وَفِيهِ: «هٰذَا مَا صَالَحَ عَلَيْهِ مُحَمَّدُ بْنُ عَبْدِاللهِ، سُهَيْلَ بْنَ عَمْرٍو، عَلَىٰ

[1] *Jizya* is of two kinds – an individual one, and a collective one. If realized individually, it will include the rich and the poor alike, from free, male, adults. The least amount that may be realized from a person is one Dinār per year. However, the non-adult minors are exempted from it. Any such tax payment which a government realizes, will have to be above the said rate and not below it. In case the non-believers choose to pay it collectively saying that they shall be paying a certain lump sum amount to the state annually, then such a payment shall not include the poor, but will be solely realized from the rich among them.

[2] i.e., garments of Yemen origin.

[3] Abū Hubaira, who settled at Basra, was among the righteous *Sahāba*. He attended *Bai'atur-Ridwān* and died during the caliphate of Yazid bin Mu'āwiya.

[4] This *Hadīth* has been mentioned as an introduction to signing a truce. Even if one of the conditions of a treaty thus signed supposedly appears to be unfavorable to Muslims, they shall not lose heart, for Allāh will always uphold Islam.

[5] This *Hadīth* clarifies that one should not be the first to greet a non-Muslim with the word *Salām* and a Muslim should not clear his way for them in case he comes across one of them on the way.

[6] Marwān bin Al-Hakam Al-Umawi was the father of 'Abdul-Mālik (the *Khalifa*). He governed Al-Madīnah for Mu'āwiya. He competed with 'Abdullāh bin Az-Zubair over the caliphate after the death of Yazid and the abdication of his son Mu'āwiya. So he took over Egypt and Shām. He died in Damascus in the Year 65 H.

agreed[1] with Suhail bin 'Amr[2] – to abandon war for ten years during which the people would have security, and refrain from (harming) one another." [Abū Dā'ud reported it. Its basic meaning occurs in *Al-Bukhāri*].

وَضْعِ الحَرْبِ عَشْرَ سِنِينَ، وَيَأْمَنُ فِيهَا [النَّاسُ]، وَيَكُفُّ بَعْضُهُمْ عَنْ بَعْضٍ». أَخْرَجَهُ أَبُو دَاوُدَ وَأَصْلُهُ فِي البُخَارِيِّ.

Muslim reported part of the aforesaid *Hadīth* from Anas ﷺ and it contains: "If anyone came to us (the pagans) from you (the Muslims), we will not send him back, but if anyone came to you from us, you should send him back." They asked, "Will you write that down, O Allāh's Messenger?" He replied, "Yes! May Allāh remove far (from His Mercy) anyone who goes from us to them, but Allāh will make an escape and a way out for anyone who comes to us from them."

وَأَخْرَجَ مُسْلِمٌ بَعْضَهُ مِنْ حَدِيثِ أَنَسٍ، وَفِيهِ: أَنَّ مَنْ جَاءَ مِنْكُمْ لَمْ نَرُدَّهُ عَلَيْكُم، وَمَنْ جَاءَكُمْ مِنَّا رَدَدْتُمُوهُ عَلَيْنَا، فَقَالُوا: أَنَكْتُبُ هٰذَا؟ يَا رَسُولَ اللهِ! قَالَ: «نَعَمْ، إِنَّهُ مَنْ ذَهَبَ مِنَّا إِلَيْهِمْ فَأَبْعَدَهُ اللَّهُ، وَمَنْ جَاءَنَا مِنْهُمْ فَسَيَجْعَلُ اللَّهُ لَهُ فَرَجاً وَمَخْرَجاً».

1129. Narrated 'Abdullāh bin 'Umar ﷺ: The Prophet ﷺ said, "Whoever kills a *Mu'āhid*[3] will not smell the fragrance of Paradise, even though its fragrance can be smelt at a distance of forty year's journey." [Al-Bukhāri reported it].

(١١٢٩) وَعَنْ عَبْدِ اللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُما عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ قَتَلَ مُعَاهَداً لَمْ يَرِحْ رَائِحَةَ الجَنَّةِ، وَإِنَّ رِيحَهَا لَيُوجَدُ مِنْ مَسِيرَةِ أَرْبَعِينَ عَاماً». أَخْرَجَهُ البُخَارِيُّ.

[1] This proves legitimacy of a peace accord being struck between the Muslims and non-Muslims. It further elaborates that if an *Amir*, as a prudent measure, realizes that such a treaty shall do the Muslims good in the long run, he should sign it without caring about the opposition or resentment of the public, which such a step may cause among them.

[2] He was one of Quraish's noble, wise, orators and statesmen. He was captured at Badr as a *Kāfir*, but became Muslim on the day of the conquest of Makkah. The Quraish remained in Islam during *Ar-Ridda* period due to his influence. It was said that he was martyred in the battle of Yarmūk in the year 14 H. or at Marj As-Safr or in the plague of Amwās in the year 18 H.

[3] *Mu'āhid* is a non-believer who is basically a resident of a non-Muslim territory and has entered an Islamic country pursuant to acquiring an asylum from the Islamic government. This also must be made clear that the murder of a *Mu'āhid* is very serious – in terms of consequences – since the murder of a *Mu'āhid* is a matter which involves the whole nation thus bringing a bad name to all the Muslims. There is a common consensus to the effect that the murder of a *Mu'āhid* is forbidden. This is a proof that the Muslim will not be killed for a disbeliever – *Mu'āhid* or *Dhimmi*.

Chapter 2
RACING AND SHOOTING

٢ - بَابُ السَّبْقِ وَالرَّمْيِ

1130. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ held a race between the horses[1] which had been made lean by training from Al-Hafyā' to Thaniyat Al-Wadā',[2] and he held a race, from Thaniya to the mosque of Banu Zuraiq, between the horses which had not undergone such training. Ibn 'Umar (ﷺ) was among those who took part in the race. [Agreed upon].

(١١٣٠) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: سَابَقَ النَّبِيُّ ﷺ بِالخَيْلِ الَّتِي قَدْ ضُمِّرَتْ، مِنَ الحَفْيَاءِ، وَكَانَ أَمَدُهَا ثَنِيَّةَ الوَدَاعِ، وَسَابَقَ بَيْنَ الخَيْلِ الَّتِي لَمْ تُضَمَّرْ، مِنَ الثَّنِيَّةِ إِلَى مَسْجِدِ بَنِي زُرَيْقٍ، وَكَانَ ابْنُ عُمَرَ فِيمَنْ سَابَقَ. مُتَّفَقٌ عَلَيْهِ.

Al-Bukhāri added: Sufyān said, "From Al-Hafyā' to Thaniyat Al-Wadā' is a distance of five or six miles, and from the Thaniya to the mosque of Banu Zuraiq is a distance of one mile."

زَادَ البُخَارِيُّ «قَالَ سُفْيَانُ: مِنَ الحَفْيَاءِ إِلَى ثَنِيَّةِ الوَدَاعِ خَمْسَةُ أَمْيَالٍ، أَوْ سِتَّةٌ، وَمِنَ الثَّنِيَّةِ إِلَى مَسْجِدِ بَنِي زُرَيْقٍ مِيلٌ».

1131. Narrated (Ibn 'Umar) ﷺ: The Prophet ﷺ held a race between horses and made the destination for the full-grown ones at a longer distance. [Reported by Ahmad and Abū Dā'ud. Ibn Hibbān graded it *Sahih* (authentic)].

(١١٣١) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ سَابَقَ بَيْنَ الخَيْلِ، وَفَضَّلَ القُرَّحَ فِي الغَايَةِ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1132. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Wagers are allowed only for racing camels, shooting arrows or racing horses,"[3] [Reported by Ahmad and *Ath-Thalātha*. Ibn Hibbān declared it to be *Sahih* (authentic)].

(١١٣٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا سَبَقَ إِلَّا فِي خُفٍّ، أَوْ نَصْلٍ، أَوْ حَافِرٍ». رَوَاهُ أَحْمَدُ. وَالثَّلَاثَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1133. Narrated (Abū Huraira) ﷺ: The Prophet ﷺ said, "If anyone enters a horse in a race[4] with two others –

(١١٣٣) وَعَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ أَدْخَلَ فَرَساً بَيْنَ فَرَسَيْنِ، وَهُوَ لَا يَأْمَنُ أَنْ

[1] This *Hadīth* states that the horse racing is permissible. However, the strength and the age of a horse also must be taken into consideration. An ordinary horse may be made to run a mile without any scruple, whereas a five mile run will cause no strain on a trained horse.

[2] A mountain pass near Al-Madīnah on the way to Al-'Aqabah.

[3] This implies that racing and prize-giving or taking is permissible on camels and horses provided that the pre-determined prize for such a race is only from one of the contestants, according to the Majority of Scholars. If the prize is from a third party, there is no difference about its permissibility.

[4] The original purpose of horse racing is to test the strength of a horse in terms of running, and the prize giving is secondary. If the predetermined condition is stipulated by the

when he is not certain that it cannot be beaten, there is no harm in it. However, if he is certain (it cannot be beaten), it is then gambling."[1] [Reported by Ahmad and Abū Dā'ud, and its chain of narrators is *Da'if* (weak)].

يُسْبَقَ فَلَا بَأْسَ بِهِ، فَإِنْ أَمِنَ فَهُوَ قِمَارٌ» رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَإِسْنَادُهُ ضَعِيفٌ.

1134. Narrated 'Uqba bin 'Aamir ﷺ: I heard Allāh's Messenger ﷺ saying, while he was on the *Minbar*: "And make ready against them all you can of power, including steeds of war (tank, planes, etc.)[2] – Surely strength is in shooting; surely strength is in shooting; surely strength is in shooting."[3] [Reported by Muslim].

(١١٣٤) وَعَنْ عُقْبَةَ بْنِ عَامِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ، وَهُوَ عَلَى المِنْبَرِ، يَقُولُ: ﴿وَأَعِدُّوا لَهُم مَّا اسْتَطَعْتُم مِّن قُوَّةٍ وَمِن رِّبَاطِ الْخَيْلِ﴾ الآيَة، أَلَا إِنَّ القُوَّةَ الرَّمْيُ، أَلَا إِنَّ القُوَّةَ الرَّمْيُ، أَلَا إِنَّ القُوَّةَ الرَّمْيُ». رَوَاهُ مُسْلِمٌ.

competing parties in such a way that: "If your horse excels, I will pay you twenty Riyals or my horse shall be yours otherwise, you pay me twenty Riyals or your horse shall be mine," then such a practice is forbidden by a common consensus. In case the horse racing is based on a one-sided commitment only by one party stating: "I will pay you twenty Riyals, if your horse excels", such a thing is permissible (according to the majority opinion). Another permissible situation is an announcement by a third party stating: "I shall pay the winning party such and such amount."

[1] If it is known that such and such horse is definitely going to win, it is not permissible to make it run solely for the purpose of prize-winning.

[2] *Sūrat Al-Anfāl*, 8:60.

[3] Archery was the pinnacle of warfare in those days. In modern times, the learning of new armaments and war techniques shall be considered as power and strength.

12. THE BOOK OF FOODS

١٢ - كِتَابُ الأَطْعِمَةِ

1135. Narrated Abū Huraira ؓ: The Prophet ﷺ said, "Every beast of prey with canine teeth is forbidden to eat."[1] [Reported by Muslim].

(١١٣٥) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «كُلُّ ذِي نَابٍ مِنَ السِّبَاعِ فَأَكْلُهُ حَرَامٌ». رَوَاهُ مُسْلِمٌ.

Muslim reported the aforesaid *Hadīth* from the narration of Ibn 'Abbās, with this wording: "He prohibited." And he added: "And every bird with claws."

وَأَخْرَجَهُ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ، بِلَفْظِ: «نَهَى». وَزَادَ: «وَكُلُّ ذِي مِخْلَبٍ مِّنَ الطَّيْرِ».

1136. Narrated Jābir ؓ: On the Day of Khaibar, Allāh's Messenger ﷺ forbade the flesh of domestic donkeys,[2] but permitted horse flesh. [Agreed upon]. A wording of Al-Bukhāri has: "He gave permission."

(١١٣٦) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ يَوْمَ خَيْبَرَ عَنْ لُحُومِ الحُمُرِ الأَهْلِيَّةِ، وَأَذِنَ فِي لُحُومِ الخَيْلِ. مُتَّفَقٌ عَلَيْهِ، وَفِي لَفْظٍ لِلْبُخَارِيِّ: «وَرَخَّصَ».

1137. Narrated Ibn Abū Aufā ؓ: We went on seven military expeditions with Allāh's Messenger ﷺ and we ate locusts. [Agreed upon].

(١١٣٧) وَعَنِ ابْنِ أَبِي أَوْفَى رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: غَزَوْنَا مَعَ رَسُولِ اللهِ ﷺ سَبْعَ غَزَوَاتٍ، نَأْكُلُ الجَرَادَ. مُتَّفَقٌ عَلَيْهِ.

1138. Narrated Anas ؓ regarding the story of the rabbit: He (Abū Talha) slaughtered it and sent its thigh to Allāh's Messenger ﷺ, and he accepted it.[3] [Agreed upon].

(١١٣٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي قِصَّةِ الأَرْنَبِ - قَالَ: فَذَبَحَهَا فَبَعَثَ بِوَرِكِهَا إِلَىٰ رَسُولِ اللهِ ﷺ، فَقَبِلَهُ. مُتَّفَقٌ عَلَيْهِ.

1139. Narrated Ibn 'Abbās ؓ: "Allāh's Messenger ﷺ prohibited the killing of four creatures: ants, bees, hoopoes and shrikes (a small bird which eats insects)." [Reported by Ahmad and Abū Dā'ud. Ibn Hibbān graded it *Sahih* (authentic)].

(١١٣٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ قَتْلِ أَرْبَعٍ مِنَ الدَّوَابِّ: النَّمْلَةِ، وَالنَّحْلَةِ، وَالهُدْهُدِ، وَالصُّرَدِ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1140. Narrated Ibn Abū 'Ammār[4] : I asked Jābir (ؓ), "Is hyena a game

(١١٤٠) وَعَنِ ابْنِ أَبِي عَمَّارٍ قَالَ: قُلْتُ

[1] This *Hadīth* mentions a clear-cut and exhaustive indication of a standard stating that any flesh-eating beast of prey with canine teeth is forbidden to be eaten. Similarly, any of the birds nibbling at its waste with the grip of its talons is forbidden.

[2] A wild donkey (zebra) is not forbidden.

[3] Rabbit is permissible according to the majority of the scholars.

[4] He is 'Abdur-Rahmān bin 'Abdullāh bin Abū 'Ammār Al-Qurashi Al-Makki. He was a devoted worshipper and An-Nasāi verified him as reliable.

(animal)?" He replied, "Yes."[1] I asked, "Did Allāh's Messenger ﷺ say that?" He replied, "Yes." [Reported by Ahmad and *Al-Arba'a*. Al-Bukhāri and Ibn Hibbān graded it *Sahih* (authentic)].

لِجَابِرٍ: الضَّبُعُ صَيْدٌ هِيَ؟ قَالَ: نَعَمْ، قُلْتُ: قَالَهُ رَسُولُ اللهِ ﷺ؟! قَالَ: نَعَمْ. رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ الْبُخَارِيُّ وَابْنُ حِبَّانَ.

1141. Narrated Ibn 'Umar ﷺ: He was asked about the hedgehog and he recited "Say (O Muhammad ﷺ): I find not in that which has been inspired to me anything forbidden..."[2] An old man who was present said: I heard Abū Huraira ﷺ say, 'It was mentioned in the presence of the Prophet ﷺ and he said, "It is an abomination from those things which are abominable." ' [Ahmad and Abū Dā'ud reported it, and its chain of narrators is *Da'if* (weak)].

(١١٤١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّهُ سُئِلَ عَنِ الْقُنْفُذِ، فَقَالَ: ﴿قُل لَّآ أَجِدُ فِي مَآ أُوحِىَ إِلَىَّ مُحَرَّمًا﴾ ٱلآيَةَ فَقَالَ شَيْخٌ عِنْدَهُ: سَمِعْتُ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ يَقُولُ: ذُكِرَ عِنْدَ النَّبِيِّ ﷺ، فَقَالَ: «إِنَّهَا خَبِيثَةٌ مِنَ الْخَبَائِثِ» فَقَالَ ابْنُ عُمَرَ: إِنْ كَانَ رَسُولُ اللهِ ﷺ قَالَ هَذَا فَهُوَ كَمَا قَالَ. أَخْرَجَهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَإِسْنَادُهُ ضَعِيفٌ.

1142. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ prohibited eating of the animal which feeds on filth, and (he prohibited) it's milk.[3] [*Al-Arba'a* except An-Nasā'i reported it. At-Tirmidhi graded it *Hasan* (good)].

(١١٤٢) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُما قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنِ الجَلَّالَةِ وَأَلْبَانِهَا. أَخْرَجَهُ الأَرْبَعَةُ إِلَّا النَّسَائِيَّ، وَحَسَّنَهُ التِّرْمِذِيُّ.

1143. Narrated Abū Qatāda ﷺ regarding story of the wild donkey: The Prophet ﷺ ate from it. [Agreed upon].

(١١٤٣) وَعَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي قِصَّةِ الحِمَارِ الوَحْشِيِّ -: فَأَكَلَ مِنْهُ النَّبِيُّ ﷺ. مُتَّفَقٌ عَلَيْهِ.

1144. Narrated Asmā' bint Abū Bakr ﷺ: In the time of Allāh's Messenger ﷺ, we sacrificed a horse and ate it.[4] [Agreed upon].

(١١٤٤) وَعَنْ أَسْمَآءَ بِنْتِ أَبِي بَكْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهما قَالَتْ: نَحَرْنَا عَلَىٰ عَهْدِ رَسُولِ اللهِ فَرَساً فَأَكَلْنَاهُ. مُتَّفَقٌ عَلَيْهِ.

[1] This *Hadīth* indicates that the eating of a hyena is permissible. According to some *Imāms*, (i.e. Ash-Shafi'i) it is permissible, whereas according to some others (*Al-Hanafiya*), it is forbidden. One of the reasons it is said to be forbidden is that it likes to feed on the human flesh and therefore digs into the graves.

[2] *Sūrat Al-An'ām,* 6:145.

[3] In Arabic, *Jallala* is a term used for the animals that feed on waste and filth, whether it is a she-camel, a cow, or a goat and similarly whether a male or a female. Whether or not it is permissible to use the flesh and milk of such an animal, is a matter of difference among the scholars from the very beginning. Some regard it as permissible whereas the others consider it forbidden. An animal shall be considered a *Jallala* if the major part of its feed consists of the human waste and refuse. If the greater part of what it consumes comprises the things that are permissible, the animal shall not fall under this category.

[4] A *Hadīth* has been mentioned prior to this one regarding the permissibility of horse meat.

1145. Narrated Ibn 'Abbās ؓ: The *Dabb* (sand lizard) was eaten on the dinning sheet of Allāh's Messenger[1] ﷺ. [Agreed upon].

(١١٤٥) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أُكِلَ الضَّبُّ عَلَى مَائِدَةِ رَسُولِ اللهِ ﷺ. مُتَّفَقٌ عَلَيْهِ.

1146. Narrated 'Abdur-Rahmān bin 'Uthmān Al-Qurashi ؓ: A physician consulted Allāh's Messenger ﷺ about extracting medicine from frogs and he prohibited killing them.[2] [Ahmad reported it, and Al-Hākim graded it *Sahih* (authentic].

(١١٤٦) وَعَنْ عَبْدِ الرَّحْمٰنِ بْنِ عُثْمَانَ الْقُرَشِيِّ، أَنَّ طَبِيباً سَأَلَ رَسُولَ اللهِ ﷺ عَنِ الضِّفْدَعِ يَجْعَلُهَا فِي دَوَاءٍ، فَنَهَى عَنْ قَتْلِهَا. أَخْرَجَهُ أَحْمَدُ، وَصَحَّحَهُ الْحَاكِمُ.

Chapter 1
GAME AND ANIMALS WHICH MAY BE SLAUGHTERED

١ - بَابُ الصَّيْدِ وَالذَّبَائِحِ

1147. Narrated Abū Huraira ؓ: Allāh's Messenger ﷺ said, "Whoever keeps a dog except a sheepdog or a hunting dog or a farm dog,[3] a *Qirāt* of his reward will be deducted daily." [Agreed upon].

(١١٤٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنِ اتَّخَذَ كَلْباً إِلَّا كَلْبَ مَاشِيَةٍ، أَوْ صَيْدٍ، أَوْ زَرْعٍ، انْتَقَصَ مِنْ أَجْرِهِ كُلَّ يَوْمٍ قِيرَاطٌ». مُتَّفَقٌ عَلَيْهِ.

1148. Narrated 'Adi bin Hātim[4] ؓ: Allāh's Messenger ﷺ said to me, "When you send off your dog, mention Allāh's Name over it.[5] If it catches anything for you and you reach it while it is still

(١١٤٨) وَعَنْ عَدِيِّ بْنِ حَاتِمٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ لِي رَسُولُ اللهِ ﷺ: «إِذَا أَرْسَلْتَ كَلْبَكَ فَاذْكُرِ اسْمَ اللهِ عَلَيْهِ، فَإِنْ أَمْسَكَ

All these *Ahādith* state that the eating of its meat is permissible.

[1] It is deduced from certain *Ahādith* that *Dabb* (a kind of sand lizard) should not be eaten. The Prophet ﷺ never ate it himself, but his Companions did eat the same in his presence while eating off his dining sheet. He was invited to eat it, but refused to partake of it. However, he did not forbid the people around him from eating it. The scholars, in their writings have mentioned it as *Makrūh Tanzihi* (things or actions rated as a lesser degree of the undesirables).

[2] We learn through this *Hadīth* that it is forbidden to kill the frog, and therefore eating its meat is also forbidden.

[3] For the reasons other than hunting or safeguarding a property, it is prohibited to raise a dog as a pet. A *Qirāt* indicates a very large amount of something.

[4] 'Adi bin Hātim At-Tā'i and his father were famous for their generosity. He visited the Prophet ﷺ in the year 7 H. and both him and his people held firm to Islam during the Ridda period. The first *Zakāt* to reach Abū Bakr was that of 'Adi and his people. He witnessed the conquest of Madā'in and was with 'Ali during his campaigns loosing an eye in the battle of Al-Jamal, and died in 120 H. at the age of 68 years.

[5] Hunting for the purpose of earning a livelihood or eating is allowed. But the same is undesirable if done merely as a recreation or pastime. It is permissible to use either a dog or

alive, slaughter it. Likewise, if you reach it when the dog has killed it but not eaten any of it, eat it. However, if you find another dog with yours and the game has been killed, do not eat, for you do not know which of them killed the animal. When you shoot your arrow, mention Allāh's Name. If the game goes out of your sight for a day and you only find in it the mark of your arrow, eat if you wish, but if you find it drowned in water, do not eat." [Agreed upon, and the wording is Muslim's].

عَلَيْكَ فَأَدْرَكْتَهُ حَيًّا فَاذْبَحْهُ، وَإِنْ أَدْرَكْتَهُ قَدْ قُتِلَ، وَلَمْ يَأْكُلْ مِنْهُ فَكُلْهُ، وَإِنْ وَجَدْتَ مَعَ كَلْبِكَ كَلْباً غَيْرَهُ، وَقَدْ قُتِلَ، فَلَا تَأْكُلْ. فَإِنَّكَ لَا تَدْرِي أَيُّهُمَا قَتَلَهُ، وَإِنْ رَمَيْتَ بِسَهْمِكَ فَاذْكُرِ اسْمَ اللهِ تَعَالَىٰ، فَإِنْ غَابَ عَنْكَ يَوْماً فَلَمْ تَجِدْ فِيهِ إِلَّا أَثَرَ سَهْمِكَ فَكُلْ إِنْ شِئْتَ، وَإِنْ وَجَدْتَهُ غَرِيقاً فِي الْمَاءِ فَلَا تَأْكُلْ». مُتَّفَقٌ عَلَيْهِ، وَهٰذَا لَفْظُ مُسْلِمٍ.

1149. Narrated 'Adi ﷺ: I asked Allāh's Messenger ﷺ about hunting with featherless arrows (*Mi'rād*) and he replied, "If the game is killed with its sharp edge,[1] eat it; but if it strikes with the middle part and the kill is beaten to death, it is considered a *Mauqūdha*,[2] so do not eat it." [Reported by Al-Bukhāri].

(١١٤٩) وَعَنْ عَدِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: سَأَلْتُ رَسُولَ اللهِ ﷺ عَنْ صَيْدِ الْمِعْرَاضِ فَقَالَ: «إِذَا أَصَبْتَ بِحَدِّهِ فَكُلْ، وَإِذَا أَصَبْتَ بِعَرْضِهِ فَقُتِلَ فَإِنَّهُ وَقِيذٌ، فَلَا تَأْكُلْ». رَوَاهُ الْبُخَارِيُّ.

1150. Narrated Abū Tha'laba ﷺ: The Prophet ﷺ said, "When you shoot your arrow and the animal goes out of your sight,[3] eat it when you come upon it, provided it has not become rotten." [Muslim reported it].

(١١٥٠) وَعَنْ أَبِي ثَعْلَبَةَ، رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «إِذَا رَمَيْتَ بِسَهْمِكَ، فَغَابَ عَنْكَ، فَأَدْرَكْتَهُ: فَكُلْهُ، مَا لَمْ يُنْتِنْ». أَخْرَجَهُ مُسْلِمٌ.

1151. Narrated 'Aisha ﷺ: Some people said to the Prophet ﷺ, "There are people who bring us meat and we do

(١١٥١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ قَوْماً قَالُوا لِلنَّبِيِّ ﷺ: إِنَّ قَوْماً يَأْتُونَنَا

other animals of prey in hunting. However, there are two conditions governing it. First of all, the dog must be unleashed by reciting *Bismillāh* and secondly, the dog thus released should be a one trained for the purpose of hunting. If the dog eats of the hunted animal, it becomes unlawful for human consumption. Otherwise, the same is lawful.

[1] One of the rulings governing hunting is that if the animal thus preyed upon dies out of bleeding by being wounded through a razor-sharp object, it is permissible to be eaten. However, if the same dies out of being hit by an object and sustaining some bruises or wounds, the consumption of the same becomes unlawful.

[2] i.e., an animal beaten to death with a stick, a stone and the like without proper slaughtering.

[3] If an animal, struck by an arrow, runs out of sight and is later found dead lying in water, it is forbidden to be eaten. However, if the same is found alive, it must be slaughtered. If the same is found to be dead lying on the ground visibly sustaining no injury other than the one inflicted by an arrow, it is lawful to be eaten. But if the same is found to be sustaining a wound other than that of an arrow, it becomes forbidden for human consumption.

not know whether or not they have mentioned Allāh's Name over it." He replied, "Mention Allāh's Name yourselves and eat it."[1] [Reported by Al-Bukhārī].

بِاللَّحْمِ لَا نَدْرِي أَذَكَرُوا اسْمَ اللهِ عَلَيْهِ، أَمْ لَا؟ فَقَالَ: «سَمُّوا اللَّهَ عَلَيْهِ أَنْتُمْ، وكُلُوهُ». رَوَاهُ الْبُخَارِيُّ.

1152. Narrated 'Abdullāh bin Mughaffal ﷺ: Allāh's Messenger ﷺ forbade throwing pebbles[2] and said, "A game (animal) is not caught by such means, neither is an enemy injured, but you may sometimes break a tooth or put out an eye (of someone accidentally)." [Agreed upon, and the wording is Muslim's].

(١١٥٢) وَعَنْ عَبْدِاللهِ بْنِ مُغَفَّلٍ الْمُزَنِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنِ الْخَذْفِ، وَقَالَ: «إِنَّهَا لَا تَصِيدُ صَيْداً، وَلَا تَنْكَأُ عَدُوًّا، وَلَكِنَّهَا تَكْسِرُ السِّنَّ، وَتَفْقَأُ الْعَيْنَ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

1153. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ said, "Do not take any living creature as a target." [Reported by Muslim].

(١١٥٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهما، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَا تَتَّخِذُوا شَيْئاً فِيهِ الرُّوحُ غَرَضاً». رَوَاهُ مُسْلِمٌ.

1154. Narrated Ka'b bin Mālik ﷺ: A woman slaughtered a sheep with a (sharp-edged) stone, so the Prophet ﷺ was asked about that and he ordered it to be eaten.[3] [Reported by Muslim].

(١١٥٤) وَعَنْ كَعْبِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ امْرَأَةً ذَبَحَتْ شَاةً بِحَجَرٍ، فَسُئِلَ النَّبِيُّ ﷺ عَنْ ذٰلِكَ، فَأَمَرَ بِأَكْلِهَا. رَوَاهُ مُسْلِمٌ.

1155. Narrated Rāfi' bin Khadij ﷺ: The Prophet ﷺ said, "Whatever causes the blood to gush out, and Allāh's Name is mentioned over it, then eat (from the animal slaughtered in such a way). But, do not slaughter with a tooth or a nail (claw).[4] This is because the tooth is a bone and the nail (claw) is the knife of the Abyssinians (Ethiopians)." [Agreed upon].

(١١٥٥) وَعَنْ رَافِعِ بْنِ خَدِيجٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «مَا أَنْهَرَ الدَّمَ وَذُكِرَ اسْمُ اللهِ عَلَيْهِ، فَكُلْ، لَيْسَ السِّنَّ وَالظُّفُرَ، أَمَّا السِّنُّ فَعَظْمٌ، وَأَمَّا الظُّفُرُ فَمُدَى الْحَبَشَةِ». مُتَّفَقٌ عَلَيْهِ.

[1] This *Hadīth* establishes the principle that as long as one is not absolutely sure that a certain meat is unlawful, he may not declare it to be as such merely on the basis of doubt, particularly when it is being offered by a Muslim.

[2] The pebbles here allude to small pebbles that are harmful and at the same time offer no benefit.

[3] This *Hadīth* informs us that an animal slaughtered by a woman is lawful on the condition that: a) she is a Muslim and, b) she recites the standard formula of pronouncing ***Bismillāh, Allāhu Akbar*** while slaughtering an animal.

[4] Any sharp object (other than a tooth, a nail, or a bone) which makes the blood flow out of an animal's body, is permissible to be used for the purpose of slaughtering an animal.

1156..Narrated Jābir bin 'Abdullāh ﷺ: Allāh's Messenger ﷺ prohibited that an animal be tied up and then killed (by beating or shooting).[1] [Reported by Muslim].

(١١٥٦) وَعَنْ جَابِرِ بْنِ عَبْدِاللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ أَنْ يُقْتَلَ شَيْءٌ مِنَ الدَّوَابِّ صَبْراً. رَوَاهُ مُسْلِمٌ.

1157. Narrated Shaddād bin Aus ﷺ: Allāh's Messenger ﷺ said, "Verily. Allāh has prescribed proficiency in all things. Thus, if you kill, kill well; and when you slaughter an animal, do it in a good way. Everyone of you should sharpen his blade so that the animal may be spared from the suffering of the slaughtering."[2] [Reported by Muslim].

(١١٥٧) وَعَنْ شَدَّادِ بْنِ أَوْسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ اللَّهَ كَتَبَ الإِحْسَانَ عَلَى كُلِّ شَيْءٍ، فَإِذَا قَتَلْتُمْ فَأَحْسِنُوا القِتْلَةَ، وَإِذَا ذَبَحْتُمْ فَأَحْسِنُوا الذِّبْحَةَ، وَلْيُحِدَّ أَحَدُكُمْ شَفْرَتَهُ، وَلْيُرِحْ ذَبِيحَتَهُ». رَوَاهُ مُسْلِمٌ.

1158. Narrated Abū Sa'īd Al-Khudri ﷺ: Allāh's Messenger ﷺ said, "The slaughter of the *Janin* (fetus) is included when its mother is slaughtered."[3] [Ahmad reported it, and Ibn Hibbān graded it *Sahih* (authentic)].

(١١٥٨) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «ذَكَاةُ الجَنِينِ ذَكَاةُ أُمِّهِ». رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1159. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ said, "A Muslim's name is sufficient for him. So, if he forgets to mention Allāh's Name when he slaughters (an animal), he should mention Allāh's Name [before eating], and then eat it."[4] [Ad-Dāraqutni reported it. There is a transmitter in its chain of narrators who had weakness in memory, i.e. in its chain is Muhammad

(١١٥٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «المُسْلِمُ يَكْفِيهِ اسْمُهُ، فَإِنْ نَسِيَ أَنْ يُسَمِّيَ حِينَ يَذْبَحُ فَلْيُسَمِّ ثُمَّ لِيَأْكُلْ». أَخْرَجَهُ الدَّارَقُطْنِيُّ، وَفِيهِ رَاوٍ فِي حِفْظِهِ ضَعْفٌ، وَفِي إِسْنَادِهِ مُحَمَّدُ بْنُ يَزِيدَ بْنِ سِنَانٍ، وَهُوَ صَدُوقٌ ضَعِيفُ الحِفْظِ، وَأَخْرَجَهُ عَبْدُالرَّزَّاقِ بِإِسْنَادٍ صَحِيحٍ إِلَى ابْنِ عَبَّاسٍ، مَوْقُوفاً عَلَيْهِ.

[1] In Arabic, the word *Sabr* has two meanings: a) To kill an animal by subjecting him to extreme hunger and thirst (i.e. starving it to death). b) Using an animal as a target and killing it by throwing darts at it as if practicing a sport and thus piercing the animal to death in the process. Both of these acts are forbidden.

[2] Even if someone has to be executed, he should be killed in such a manner that he faces the least amount of agony and that his soul passes away quickly. This *Hadīth* implies exactly the same point.

[3] This *Hadīth* implies that if a dead fetus emerges out of a slaughtered animal (a female one), the flesh of that fetus is lawful too. In case it emerges alive, it will then be slaughtered by a common consensus of all the scholars.

[4] If a Muslim does not pronounce a *Takbīr* (saying *Allāhu Akbar*) deliberately while slaughtering an animal, it becomes unlawful. However, if he omits pronouncing it due to forgetfulness, the same is permissible. This is the strongest opinion of the scholars.

bin Yazid bin Sinān,[1] who is truthful but weak in memory. 'Abdur-Razzāq reported the aforesaid *Hadīth* with an authentic chain of narrators stopping at Ibn 'Abbās (ﷺ) *Mauquf* (saying of a Companion). It has a *Shāhid* (supporting narration) reported by Abū Dā'ud in his *Marāsil* (missing links after the *Tābi'ī*) with the wording: "The slaughtered animal of any Muslim is lawful, whether he mentions Allāh's Name over it or not." Its narrators are reliable (*thiqah*)].

وَلَهُ شَاهِدٌ عِنْدَ أَبِي دَاوُدَ، فِي مَرَاسِيلِهِ: بِلَفْظِ: «ذَبِيحَةُ الْمُسْلِمِ حَلَالٌ، ذَكَرَ اسْمَ اللهِ عَلَيْهَا أَمْ لَمْ يَذْكُرْ». وَرِجَالُهُ مُوَثَّقُونَ.

Chapter 2
THE SACRIFICES[2]

٢ - بَابُ الأَضَاحِي

1160. Narrated Anas bin Mālik ﷺ: "The Prophet ﷺ used to sacrifice two black and white two-horned rams, mention Allāh's Name and say Allāh is the Greatest, and place his foot on their sides." Another wording has: 'He slaughtered them with his own hands.' [Agreed upon]. Another wording has: '*Saminain*' (two fat rams). Abū 'Awāna has in his *Sahih*: '*Thaminain*' – with '*Th*' instead of '*S*' – (meaning two precious rams). A wording of Muslim has: 'And he said, "In the Name of Allāh" and "Allāh is the Greatest."'

(١١٦٠) عَنْ أَنَسِ بْنِ مَالِكٍ، رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ كَانَ يُضَحِّي بِكَبْشَيْنِ أَمْلَحَيْنِ أَقْرَنَيْنِ، وَيُسَمِّي، وَيُكَبِّرُ، وَيَضَعُ رِجْلَهُ عَلَى صِفَاحِهِمَا. وَفِي لَفْظٍ: «ذَبَحَهُمَا بِيَدِهِ» مُتَّفَقٌ عَلَيْهِ. وَفِي لَفْظٍ: «سَمِينَيْنِ». وَلأَبِي عَوَانَةَ فِي صَحِيحِهِ: «ثَمِينَيْنِ» بِالْمُثَلَّثَةِ بَدَلَ السِّينِ. وَفِي لَفْظٍ لِمُسْلِمٍ: «وَيَقُولُ بِسْمِ اللهِ وَاللَّهُ أَكْبَرُ».

Muslim has reported from the *Hadīth* of 'Aisha ﷺ: 'He (ﷺ) ordered a horned ram with black legs, black belly and black around the eyes, and it was brought for

وَلَهُ مِنْ حَدِيثِ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَمَرَ بِكَبْشٍ أَقْرَنَ، يَطَأُ فِي سَوَادٍ، وَيَبْرُكُ فِي سَوَادٍ، وَيَنْظُرُ فِي سَوَادٍ، لِيُضَحِّيَ بِهِ، فَقَالَ:

[1] He was nicknamed Abū 'Abdul‹ › and was from At-Tamimi tribe. Abū Hātim said, 'He was not a strong *Hadīth* authority. ‹ › was however, a pious man.' Abū Dā'ud said, 'He is nothing', and An-Nasā'i said, 'he was not strong.' Ibn Hibbān mentioned in *Ath-Thiqāt* that he died in 220 H.

[2] Sacrificing is of two kinds. The first one is known as *Hady* and the other one as *Udhiya*. *Hady* is the one offered by the pilgrims as one of the *Hajj* rituals in Mina, and *Udhiya* is the one offered by the Muslims worldwide either on the day of *'Eidul-Adha* or during the days of *Tashrīq*. According to the majority of the scholars, offering *Udhiya* sacrifices is a *Sunnah* (a supererogatory act); whereas according to some of them, the same is compulsory. This sacrifice is called *Udhiya* because it is offered at *Duha* (the forenoon time).

him to sacrifice and he said to 'Aisha (ﷺ), " 'Aisha, get the knife." Then he said, "Sharpen it with a stone." When she had done so he took it (the knife), then took it (the ram) and placed it on the ground and (began to) slaughter it, saying: "In the Name of Allāh, O Allāh, accept it from Muhammad, Muhammad's family and from Muhammad's *Ummah* (followers)," offering it as a sacrifice.'

اشْحَذِي الْمُدْيَةَ، ثُمَّ أَخَذَهَا فَأَضْجَعَهُ، ثُمَّ ذَبَحَهُ، وَقَالَ: بِسْمِ اللهِ، اللَّهُمَّ تَقَبَّلْ مِنْ مُحَمَّدٍ، وَآلِ مُحَمَّدٍ، وَمِنْ أُمَّةِ مُحَمَّدٍ ثُمَّ ضَحَّى بِهِ ﷺ.

1161. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "He who has the means and did not sacrifice must not come near our place of prayer."[1] [Reported by Ahmad and Ibn Mājah. Al-Hākim graded it *Sahih* (authentic). The other *Imāms* held that the stronger view is that it is *Mauqūf* (saying of a Companion)].

(١١٦١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ كَانَ لَهُ سَعَةٌ وَلَمْ يُضَحِّ فَلَا يَقْرَبَنَّ مُصَلَّانَا». رَوَاهُ أَحْمَدُ وَابْنُ مَاجَهْ، وَصَحَّحَهُ الْحَاكِمُ ورَجَّحَ الأَئِمَّةُ غَيْرُهُ وَقْفَهُ.

1162. Narrated Jundub bin Sufyān[2] ﷺ: I witnessed *'Eidul-Adha* with Allāh's Messenger ﷺ When he finished his prayer with the people, he looked at a sheep which had been sacrificed, and said, "Anyone who has sacrificed before prayer must sacrifice a sheep in its place.[3] And if anyone has not sacrificed he must do so in Allāh's Name." [Agreed upon].

(١١٦٢) وَعَنْ جُنْدُبِ بْنِ سُفْيَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: شَهِدْتُ الأَضْحَى مَعَ رَسُولِ اللهِ ﷺ، فَلَمَّا قَضَى صَلَاتَهُ بِالنَّاسِ نَظَرَ إِلَى غَنَمٍ قَدْ ذُبِحَتْ، فَقَالَ: «مَنْ ذَبَحَ قَبْلَ الصَّلَاةِ فَلْيَذْبَحْ شَاةً مَكَانَهَا، وَمَنْ لَمْ يَكُنْ ذَبَحَ فَلْيَذْبَحْ عَلَى اسْمِ اللهِ». مُتَّفَقٌ عَلَيْهِ.

---

[1] Some scholars conclude from this *Hadīth* that the act of offering sacrifice is *Wājib* (compulsory). However, the majority of scholars hold that it is *Sunnat Mu'akkada* (a supererogatory act which was practiced and stressed upon by the Prophet ﷺ). During modern times, there are some derelict and delinquent people who reject the concept of offering sacrifice itself. Still, no one among the adherents of Islam till recent times was bold or ignorant enough to reject it in an outright manner. *Ahādith* are replete with the statements that encourage and inform the people about its significance and importance.

[2] Jundub bin 'Abdullāh bin Sufyān Al-Bajali Al-'Alaqi was a *Sahābi*. He died in the year 60 H.

[3] This *Hadīth* states that in case a sacrificial animal is slaughtered before performing the *'Eid* prayer, this slaughtering shall not earn the reward of a proper sacrifice. Instead, it will amount to a general act of charity in terms of reward and virtue thus earned. This matter relates to the beginning of the prescribed time concerning the offering of the sacrifices. As to the end of such a prescribed duration, there is a difference of opinions among the scholars about it. Hāfiz Ibn Kathīr has discussed about it at length and has accorded preference to the ruling that the sacrifice period spans four days, the day of *'Eid* as well as three days of *Tashrīq* in full. However, one must slaughter his sacrificial animal on the fourth day before *'Asr* without fail.

1163. Narrated Al-Barā bin 'Azib ﷺ: Allāh's Messenger ﷺ stood up among us and said, "There are four types[1] of sacrificial animals which are not permitted: A one-eyed animal whose loss of sight is obvious, a sick animal whose sickness is obvious, a lame animal whose limp is obvious, and an old (emaciated) animal which has no (bone) marrow." [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi and Ibn Hibbān graded it *Sahih* (authentic)].

(١١٦٣) وَعَنِ الْبَرَاءِ بْنِ عَازِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما، قَالَ: قَامَ فِينَا رَسُولُ اللهِ ﷺ فَقَالَ: «أَرْبَعٌ لَا تَجُوزُ فِي الضَّحَايَا: الْعَوْرَاءُ الْبَيِّنُ عَوَرُهَا، وَالْمَرِيضَةُ الْبَيِّنُ مَرَضُهَا، وَالْعَرْجَاءُ الْبَيِّنُ ضَلَعُهَا، وَالْكَبِيرَةُ الَّتِي لَا تُنْقِي». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

1164. Narrated Jābir ﷺ: Allāh's Messenger ﷺ said, "Sacrifice only a *Musinna* (full-grown animal)[2] unless it is difficult for you, in which case you should sacrifice a *Jadha'a* (six to ten months old) sheep." [Reported by Muslim].

(١١٦٤) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَذْبَحُوا إِلَّا مُسِنَّةً، إِلَّا أَنْ تَعْسُرَ عَلَيْكُمْ، فَتَذْبَحُوا جَذَعَةً مِنَ الضَّأْنِ». رَوَاهُ مُسْلِمٌ.

1165. Narrated 'Ali ﷺ: Allāh's Messenger ﷺ enjoined us to pay great attention to the eye and the ear, and not sacrifice a one-eyed animal, or an animal with a slit which leaves something hanging at the front or back of the ear, or with a hold pierced in the ears, or an animal with broken (or fallen out) front teeth.[3] [Ahmad and *Al-Arba'a* reported it. At-Tirmidhi, Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

(١١٦٥) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَمَرَنَا رَسُولُ اللهِ ﷺ أَنْ نَسْتَشْرِفَ الْعَيْنَ وَالأُذُنَ، وَلَا نُضَحِّيَ بِعَوْرَاءَ، وَلَا مُقَابَلَةٍ، وَلَا مُدَابَرَةٍ، وَلَا خَرْقَاءَ، وَلَا شَرْقَاءَ». أَخْرَجَهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ وَالْحَاكِمُ.

[1] The sick, lame, one-eyed and weak-structured animals are not permitted to be slaughtered in the sacrifice. The scholars observe that a similar ruling applies to animals suffering from other bodily defects. In case an animal suffers from an imperfection of a far greater order than the ones mentioned above, the permissibility of slaughtering such an animal as a ritual sacrifice is totally ruled out. An animal that may be categorized as such is a completely blind animal or the one that is totally deprived of one of its legs.

[2] In Arabic, *Musinna* is an animal whose milk-teeth have fallen down and thus replaced by the regular teeth. Different species have different age groups for the emergence of the regular teeth. When the goat, sheep and ram are one year old and enter the second year of their age, they become *Musinna*. Cows and buffaloes gain this status while entering the third year of their age. A camel usually becomes *Musinna* after having entered the sixth year of its age.

[3] An animal whose ear is either cut or lacerated, or the one having a broken horn, is not permitted to be slaughtered as a sacrifice. The factual ruling covering an ear and a horn is, that if more than half of these bodily organs are cut off or lacerated, such animals are not to be sacrificed, but in case more than half of the said bodily organs are in a good shape, such

1166. Narrated 'Ali bin Abū Tālib ﷺ: Allāh's Messenger ﷺ appointed me to be in charge of his sacrificial animals, and commanded me to distribute the whole of their meat, hides, and saddle clothes to the poor,[1] and not to give the butcher anything out of them. [Agreed upon].

(١١٦٦) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَمَرَنِي رَسُولُ اللهِ ﷺ أَنْ أَقُومَ عَلَى بُدْنِهِ، وَأَنْ أُقْسِمَ لُحُومَهَا وَجُلُودَهَا وَجِلَالَهَا عَلَى المَسَاكِينِ، وَلَا أُعْطِيَ فِي جِزَارَتِهَا شَيْئاً مِنْهَا. مُتَّفَقٌ عَلَيْهِ.

1167. Narrated Jābir bin 'Abdullāh ﷺ: In the year of *Al-Hudaibiya*, we sacrificed along with Allāh's Messenger ﷺ: a camel on behalf of seven (people), and a cow on behalf of seven.[2] [Reported by Muslim].

(١١٦٧) وَعَنْ جَابِرِ بْنِ عَبْدِاللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُما قَالَ: نَحَرْنَا مَعَ رَسُولِ اللهِ ﷺ عَامَ الحُدَيْبِيَةِ ٱلْبَدَنَةَ عَنْ سَبْعَةٍ، وَالبَقَرَةَ عَنْ سَبْعَةٍ. رَوَاهُ مُسْلِمٌ.

Chapter 3
AL- 'AQIQAH[3]

٣ - بَابُ العَقِيقَةِ

1168. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ slaughtered a ram[4] each for Al-Hasan and Al-Husain[5] (at their

(١١٦٨) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ عَقَّ عَنِ الحَسَنِ

animals are deemed fit for sacrifice. If an animal is naturally born without a horn, it will not be considered as a defective one, but if the horn gets broken after the birth of an animal, it is bound to be regarded as defective. If the remainder of the broken horn constitutes more than half of its complete entity, the animal shall be considered to be fit for sacrifice. But if the rest of the horn turns out to be less than half of it, the animal shall be regarded as unfit for the purpose.

[1] The hide, wool and the meat of an animal thus sacrificed should all be dispensed as charity. A person offering a sacrifice is allowed to eat from its meat, may put its hide to personal use, but is not allowed to sell it. The giving away of sacrificial meat to the butcher as the payment of his wages is forbidden. Some people do not pay wages to the butcher at all, a practice that is prohibited. In case the butcher does not take his wages willingly, then it is permissible.

[2] The sacrifice offered by slaughtering a single goat suffices the whole household even if it comprises twenty persons. The sacrifice of a single cow, buffalo or a camel may include seven households. Whether the sacrifice is voluntary or obligatory, it makes no difference. It is not a must that the same must be shared by seven persons. It is also right if one person sacrifices the whole animal (alone).

[3] *'Aqīqah* is a term used for an animal, to be slaughtered for the sake of a newborn baby.

[4] The observance of *'Aqīqah* is *Sunnah* (a supererogatory act). The next *Hadīth* states that the slaughtering of two goats should be made in case the baby happens to be a male child, whereas this *Hadīth* states that the Prophet ﷺ slaughtered one goat each for the two male children. This could be due to the non-availability of two goats each on the occasion of slaughtering at that particular time. Otherwise, the slaughtering of two goats each is a must according to *Sunnah*. While conducting *'Aqīqah* ceremony, it makes no difference whether the animal to be slaughtered happens to be male or female.

[5] Husain was the younger brother of Al-Hasan bin 'Ali and was younger than him by a year.

birth). [Reported by Abū Dā'ud. Ibn Khuzaima, Ibn Al-Jārūd an d 'Abdul-Haqq graded it *Sahih* (authentic). However, Abū Hātim held that the strongest view is that it is *Mursal* (missing link after the *Tābi'i*)]. Ibn Hibbān reported something similar from the *Hadīth* of Anas.

وَالحُسَيْنِ كَبْشاً كَبْشاً. رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ الجَارُودِ وَعَبْدُ الحَقِّ، لٰكِن رَجَّحَ أَبُو حَاتِمٍ إِرْسَالَهُ، وَأَخْرَجَ ابْنُ حِبَّانَ مِنْ حَدِيثِ أَنَسٍ نَحْوَهُ.

1169. Narrated 'Aisha ﵂: Allāh's Messenger ﷺ ordered them that two sheep – equal (in age) – are to be slaughtered for a boy, and one for a girl (at their birth). [Reported by At-Tirmidhi who graded it *Sahih* (authentic)]. Ahmad and *Al-Arba'a* reported something similar to the aforesaid *Hadīth* on the authority of Umm Kurz Al-Ka'biya[1] .

(١١٦٩) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ رَسُولَ اللهِ أَمَرَهُمْ أَنْ يُعَقَّ عَنِ الغُلَامِ شَاتَانِ مُكَافِئَتَانِ، وَعَنِ الجَارِيَةِ شَاةٌ. رَوَاهُ التِّرْمِذِيُّ، وَصَحَّحَهُ، وَأَخْرَجَهُ أَحْمَدُ وَالأَرْبَعَةُ عَنْ أُمِّ كُرْزٍ الْكَعْبِيَّةِ نَحْوَهُ.

1170. Narrated Samura ﵁: Allāh's Messenger ﷺ said, "Every child is pawned[2] against his *'Aqiqah*, (an animal) to be slaughtered on his behalf on his seventh day,[3] his head is to be shaved and he is to be given a name," [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi graded it *Sahih* (authentic).

(١١٧٠) وَعَنْ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «كُلُّ غُلَامٍ مُرْتَهَنٌ بِعَقِيقَتِهِ، تُذْبَحُ عَنْهُ يَوْمَ سَابِعِهِ، وَيُحْلَقُ وَيُسَمَّى». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ وَصَحَّحَهُ التِّرْمِذِيُّ.

He was one of the grandsons of the Prophet ﷺ and famous for his righteousness. He was killed at Karbala in 'Irāq on the tenth of Muharram, 61 H.

[1] She was a *Sahābiya* from the tribe of Khuzā'a and has narrated some *Ahadīth*.

[2] It means that similar to a property or a possession lying in a state of being pledged, they may not utilize their child to their advantage, i.e., such a child shall not be able to intercede with Allāh on behalf of his parents on the Day of Judgement.

[3] It is all right if a cow, instead of a goat is slaughtered on the occasion of an *'Aqīqah* ceremony. The day a child is born, *Adhān* should be recited in his right ear and *Iqāma* in his left one, according to some of the scholars. However, the *Hadith* reported by Abu Da'ud and At-Tirmidhi concerning this practice is not authentic. *'Aqīqah* should be conducted on the seventh day of his birth. On the same day, a child should be named and the hair from his head shaved off. Then, the shaved hair should be weighed and an equal amount of silver – equal to the weight of the shaved hair – be given away as charity. Likewise, *Du'a* (supplication) should be made for the child, and *At-Tahnik* [chewing a date or something similar, and placing it in the child's month – on the palate.

13. THE BOOK OF OATHS AND VOWS

١٣ - كِتَابُ الأَيْمَانِ وَالنُّذُورِ

1171. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ overtook 'Umar bin Al-Khattāb when he was with a party of riders of about ten and 'Umar was swearing by his father. Allāh's Messenger ﷺ called them and said, "Verily! Allāh forbids you from swearing by your fathers.[1] Therefore, if anyone swears, he must swear by Allāh or keep silent." [Agreed upon].

(١١٧١) عَنِ ٱبْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنْ رَسُولِ اللهِ ﷺ، أَنَّهُ أَدْرَكَ عُمَرَ بْنَ الخَطَّابِ فِي رَكْبٍ، وَعُمَرُ يَحْلِفُ بِأَبِيهِ، فَنَادَاهُمْ رَسُولُ اللهِ ﷺ: «أَلَا إِنَّ اللَّهَ يَنْهَاكُمْ أَنْ تَحْلِفُوا بِآبَائِكُمْ، فَمَنْ كَانَ حَالِفاً فَلْيَحْلِفْ بِاللهِ أَوْ لِيَصْمُتْ». مُتَّفَقٌ عَلَيْهِ.

In a narration which is *Marfū'* (attributed to the Prophet) reported by by Abū Dā'ud and An-Nasā'i from Abū Huraira ﷺ it has: "Do not swear by your fathers, nor by your mothers, nor by the rivals [2] (set up as equals with Allāh); and do not swear by Allāh except when you are speaking the truth."

وَفِي رِوَايَةٍ لأَبِي دَاوُدَ وَالنَّسَائِيِّ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مَرْفُوعاً: «لَا تَحْلِفُوا بِآبَائِكُمْ، وَلَا بِأُمَّهَاتِكُمْ، وَلَا بِالأَنْدَادِ، وَلَا تَحْلِفُوا بِاللهِ إِلَّا وَأَنْتُمْ صَادِقُونَ».

1172. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Your oath will be about that matter which your adversary[3] has required you to swear about so that he will believe you." In another narration: "An oath is to be interpreted according to the intention of the one who requested it (*Al-Mustahlif*)." [Muslim reported both narrations].

(١١٧٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «يَمِينُكَ عَلَى مَا يُصَدِّقُكَ بِهِ صَاحِبُكَ». وَفِي رِوَايَةٍ: «اَلْيَمِينُ عَلَىٰ نِيَّةِ المُسْتَحْلِفِ». أَخْرَجَهُمَا مُسْلِمٌ.

[1] It was a custom among the Arabs to swear by the names of their fathers and grandfathers. When 'Umar رضي الله عنه observed such an oath in the presence of the Prophet ﷺ, he prohibited him from doing so, saying that one should not administer an oath in anyone's name except in the Name of Allāh. The expressions like, "I swear by you, I swear by your head, I swear by Husain or I swear by the Prophet ﷺ" which are very much in vogue and are used by many people, are all improper and forbidden ones.

[2] i.e., the idols.

[3] This *Hadīth* indicates that whatever a defendant (*Al-Hālif*) observes an oath about, on the demand of the claimant (*Al-Mustahlif*) who has a legitimate right, the oath thus taken will be considered to be related to that specific matter only. The hidden intentions of the one taking an oath (*Al-Hālif*) – about an explicit matter – will not be considered. That which is considered is the intention of the one (*Al-Mustahlif*) that requested the oath to be taken in the first place. However, if someone takes an oath by himself – without being requested to do so – whatever he intends is what is considered.

1173. Narrated 'Abdur-Rahmān bin Samura[1] ؓ: Allāh's Messenger ﷺ said, "When you swear an oath and then consider something else to be better than it, make atonement[2] for your oath and do the thing that is better." [Agreed upon]. A wording of Al-Bukhāri has: "Do the thing that is better and make atonement for your oath." In a narration by Abū Dā'ud: "Make atonement for your oath, then do the thing that is better." [The chains of narrators of both *Ahadīth* are *Sahih* (authentic)].

(١١٧٣) وَعَنْ عَبْدِ الرَّحْمٰنِ بْنِ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «وَإِذَا حَلَفْتَ عَلَى يَمِينٍ، فَرَأَيْتَ غَيْرَهَا خَيْراً مِنْهَا، فَكَفِّرْ عَنْ يَمِينِكَ وَائْتِ الَّذِي هُوَ خَيْرٌ». مُتَّفَقٌ عَلَيْهِ. وَفِي لَفْظٍ لِلْبُخَارِيِّ: «فَائْتِ الَّذِي هُوَ خَيْرٌ، وَكَفِّرْ عَنْ يَمِينِكَ». وَفِي رِوَايَةٍ لأَبِي دَاوُدَ: «فَكَفِّرْ عَنْ يَمِينِكَ. ثُمَّ ائْتِ الَّذِي هُوَ خَيْرٌ». وَإِسْنَادُهَا صَحِيحٌ.

1174. Narrated Ibn 'Umar ؓ: Allāh's Messenger ﷺ said, "Whoever swears an oath, and then says: "If Allāh Wills", he is not held accountable [3] if he breaks it." [Ahmad and *Al-Arba'a* reported it, and Ibn Hibbān graded it *Sahih* (authentic)].

(١١٧٤) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَنْ حَلَفَ عَلَى يَمِينٍ، فَقَالَ: إِنْ شَاءَ اللَّهُ، فَلَا حِنْثَ عَلَيْهِ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1175. Narrated (Ibn 'Umar) ؓ: The Prophet's oath ﷺ used to be:[4] "No, by Him Who turns (changes) the hearts." [Reported by Al-Bukhāri].

(١١٧٥) وَعَنْهُ، قَالَ: كَانَتْ يَمِينُ النَّبِيِّ ﷺ: «لَا، وَمُقَلِّبِ الْقُلُوبِ». رَوَاهُ الْبُخَارِيُّ.

1176. Narrated 'Abdullāh bin 'Amr ؓ: A desert Arab came to the Prophet ﷺ and said, "O Allāh's Messenger, what are the major sins?" The narrator reported the *Hadīth* and it contains: "The false oath."[5] It contains also: I asked, "What

(١١٧٦) وَعَنْ عَبْدِاللهِ بْنِ عَمْرٍو رَضِيَ اللَّهُ تَعَالَى عَنْهُما قَالَ: جَآءَ أَعْرَابِيٌّ إِلَى النَّبِيِّ ﷺ، فَقَالَ: يَا رَسُولَ اللهِ! مَا الْكَبَآئِرُ؟ - فَذَكَرَ الْحَدِيثَ، وَفِيهِ - «الْيَمِينُ الْغَمُوسُ» - وَفِيهِ -

---

[1] He was nicknamed Abū Sa'īd and was a *Sahābi* and an 'Abshami. He became a Muslim after the *Fath* and conquered Sijistan and Kabūl. He settled at Basra and died there in 50 H. or after it.

[2] The expiation of an oath is: a) freeing a slave, or b) feeding ten poor people, or c) providing them with clothing, or d) fasting for three days.

[3] This *Hadīth* implies that restricting one's oath by subjecting it to the Will of Allāh does not make a person to be oath-bound, provided that he says *In shā' Allāh* at the time of administering the oath.

[4] This *Hadīth* states that oath-taking is not restricted to the Proper Names (*Al-Asmaa'*) of Allāh Alone, but it is permissible to swear by the Qualities and Attributes (*As-Sifāt*) of Allāh. This is allowed whether one swears by those qualities which refer to His Divine Being (*As-Sifāt Adh-Dhātiyah*) such as Knowledge and Power or those qualities which refer to His Divine Actions (*As-Sifāt Al-Fi'liyah*) such as Anger, Pleasure, Ascending etc.

[5] In Arabic, *Yamīn Ghamus* (a false oath) is the one that is taken to deceive, cheat and take

is the false oath?" The Prophet ﷺ replied, "It is that (oath) by which one takes possession of the property of a Muslim person, while he is lying." [Al-Bukhari reported it].

قُلْتُ: وَمَا الْيَمِينُ الْغَمُوسُ؟ قَالَ: «الَّتِي يُقْتَطَعُ بِهَا مَالُ امْرِئٍ مُسْلِمٍ، هُوَ فِيهَا كَاذِبٌ». أَخْرَجَهُ الْبُخَارِيُّ.

1177. Narrated 'Aisha ﷺ regarding the saying of Allah the Most High: "Allāh will not punish you for what is unintentional in your oaths".[1] She said: It (was sent down about such phrases as) a person's saying: 'No, by Allāh' and 'Yes, by Allāh.'[2] [Al-Bukhāri reported it (*Mauquf*, i.e. as a saying of 'Aisha)]. Abū Dā'ud reported it as *Marfū'*(attributed to the Prophet)].

(١١٧٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، فِي قَوْلِهِ تَعَالَى: ﴿لَّا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِيٓ أَيْمَٰنِكُمْ﴾ قَالَتْ: هُوَ قَوْلُ الرَّجُلِ: لَا، وَاللهِ، وَبَلَى وَاللهِ: أَخْرَجَهُ الْبُخَارِيُّ، وَأَوْرَدَهُ أَبُو دَاوُدَ مَرْفُوعاً.

1178. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Verily! Allāh has ninety-nine Names [3] concerning which he who retains them in his memory[4] will enter Paradise." [Agreed upon]. At-Tirmidhi and Ibn Hibbān listed the Names. However, investigations show that their listing is *Idrāj* (an insertion) from one of the narrators [not from the words of the Prophet].

(١١٧٨) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ لِلَّهِ تِسْعَةً وَتِسْعِينَ اسْماً، مَنْ أَحْصَاهَا دَخَلَ الْجَنَّةَ» مُتَّفَقٌ عَلَيْهِ. وَسَاقَ التِّرْمِذِيُّ وَابْنُ حِبَّانَ الْأَسْمَاءَ، وَالتَّحْقِيقُ أَنَّ سَرْدَهَا إِدْرَاجٌ مِنْ بَعْضِ الرُّوَاةِ.

1179. Narrated 'Usāma bin Zaid ﷺ: Allāh's Messenger ﷺ said, "If one is done a kindness and [expresses his gratitude] to his benefactor by saying 'May Allāh give you a good reward', he has fully expressed his

(١١٧٩) وَعَنْ أُسَامَةَ بْنِ زَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ صُنِعَ إِلَيْهِ مَعْرُوفٌ، فَقَالَ لِفَاعِلِهِ: جَزَاكَ اللَّهُ خَيْراً، فَقَدْ أَبْلَغَ فِي الثَّنَاءِ». أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ

someone's wealth unlawfully. If the same does not involve wealth, it will be called *Yamīn Fājir*. There is no atonement for *Yamīn Ghamus*. The only atonement for this kind of oath is that one should make a payment of the dues belonging to other people, repent and ask for Allāh's forgiveness.

[1] *Sūrat Al-Mā'idah*, 5:89.

[2] The words of oath which a person merely blurts out as a thoughtless expression, merely out of habit, are neither considered to be an oath, nor do they incur an atonement penalty. However, this is a bad habit one should be weaned away from.

[3] In addition to this, there are also other names that are attributed to Allāh. Some names are additional ones but these Names are far superior to the other additional Names of Allāh.

[4] Its meaning may also include mastering them, praising Allāh by them all and acting according to them.

جِبَّانَ.

appreciation."[1] [At-Tirmidhi reported it, and Ibn Hibbān graded it *Sahih* (authentic)].

(١١٨٠) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ، أَنَّهُ نَهَى عَنِ النَّذْرِ، وَقَالَ: «إِنَّهُ لَا يَأْتِي بِخَيْرٍ، وَإِنَّمَا يُسْتَخْرَجُ بِهِ مِنَ الْبَخِيلِ». مُتَّفَقٌ عَلَيْهِ.

1180. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ forbade making vows,[2] and said, "It does not bring good. Indeed, it is only a means by which something is extracted from the miserly." [Agreed upon].

(١١٨١) وَعَنْ عُقْبَةَ بْنِ عَامِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «كَفَّارَةُ النَّذْرِ كَفَّارَةُ يَمِينٍ». رَوَاهُ مُسْلِمٌ، وَزَادَ التِّرْمِذِيُّ فِيهِ: «إِذَا لَمْ يُسَمِّهِ». وَصَحَّحَهُ.

1181. Narrated 'Uqba bin 'Aamir ﷺ: Allāh's Messenger ﷺ said, "The atonement for a vow (*Nadhr*) is (the same as) the atonement for an oath (*Yamin*)."[3] [Reported by Muslim]. At-Tirmidhi added, "If he did not specify it." [And he graded it *Sahih* (authentic)].

وَلِأَبِي دَاوُدَ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ مَرْفُوعاً: «مَنْ نَذَرَ نَذْراً لَمْ يُسَمِّ فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ، وَمَنْ نَذَرَ نَذْراً فِي مَعْصِيَةٍ فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ، وَمَنْ نَذَرَ نَذْراً لَا يُطِيقُهُ فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ». وَإِسْنَادُهُ صَحِيحٌ إِلَّا أَنَّ الْحُفَّاظَ رَجَّحُوا وَقْفَهُ.

Abū Dā'ud has from the narration of Ibn 'Abbās (ﷺ) (who reported Allāh's Messenger ﷺ as saying): "If anyone takes a vow but does not name it, its atonement is the same as that for an oath. If anyone takes a vow to do an act of disobedience, its atonement is the same as that for an oath. If anyone takes a vow which he is unable to fulfill, its atonement is the same as that for an oath." [Its chain of narrators is authentic, but the *Hadīth* scholars held that the strongest view is that it is *Mawqūf* (saying of a Companion)].

[1] This means that a favor must be reciprocated by a favor only. If the same is not possible, then the beneficiary must at least pray for the prosperity of his benefactor and express his thanks to him.

[2] A forbidden vow is like affirming that: 'if my sick person recovers, I will give away such and such amount as charity.' This means that he is not offering a charity purely for Allāh's sake but in fact intends to trade it in for a reward. Exactly a similar situation applies to a miserly person who does not undertake to perform a good thing except in return for a recompense. One must also bear in mind that making a vow or an offering does not affect a change in one's destiny. This is with regard to a vow that is made in the Name of Allāh. What about a vow that is made on someone's grave believing that 'the one who is lying in this grave will change my destiny or relieve my troubles or bring me some benefit'? This kind of vow is absolutely forbidden, and it is a form of *Shirk*.

[3] If the vow (*Nadhr*) is an independent one – without specifying anything in particular – as one supposedly says, "I make such and such vow in the Name of Allāh", a vow of this kind, if unaccomplished, will involve an oath atonement penalty (*Kaffarah Al-Yamin*). In case a vow

Al-Bukhāri has reported from the *Hadith* of 'Aisha ﷺ: (Allāh's Messenger ﷺ said) "If anyone vows to disobey Allāh, then he must not disobey Him."

وَلِلْبُخَارِيِّ مِنْ حَدِيثِ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا: «وَمَنْ نَذَرَ أَنْ يَعْصِيَ اللَّهَ فَلَا يَعْصِهِ».

Muslim has reported from the *Hadith* of 'Imrān ﷺ: (Allāh's Messenger ﷺ said) "There is no fulfillment of a vow involving an act of disobedience." [Reported by Muslim].

وَلِمُسْلِمٍ مِن حَدِيثِ عِمْرَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: «لَا وَفَاءَ لِنَذْرٍ فِي مَعْصِيَةٍ».

1182. Narrated 'Uqba bin 'Aamir ﷺ: His sister took a vow to walk to Allāh's House (for pilgrimage) barefooted.[1] Then, she ordered him to consult Allāh's Messenger ﷺ, so he consulted him for a religious verdict and the Prophet ﷺ replied, "Let her walk and ride." [Agreed upon, and the wording is Muslim's].

(١١٨٢) وَعَنْ عُقْبَةَ بْنِ عَامِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَذَرَتْ أُخْتِي أَنْ تَمْشِيَ إِلَىٰ بَيْتِ اللهِ حَافِيَةً، فَأَمَرَتْنِي أَنْ أَسْتَفْتِيَ لَهَا رَسُولَ اللهِ ﷺ فَاسْتَفْتَيْتُهُ. فَقَالَ النَّبِيُّ ﷺ: «لِتَمْشِ وَلْتَرْكَبْ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

Ahmad and *Al-Arba'a* have: He said, "Verily! Allāh, the Most High, will not do anything with the affliction your sister imposes on herself. Command her to cover her head and to ride, and to fast three days."

وَلِأَحْمَدَ وَالأَرْبَعَةِ، فَقَالَ: «إِنَّ اللَّهَ لَا يَصْنَعُ بِشَقَاءِ أُخْتِكَ شَيْئاً، مُرْهَا فَلْتَخْتَمِرْ، وَلْتَرْكَبْ، وَلْتَصُمْ ثَلَاثَةَ أَيَّامٍ».

1183. Narrated Ibn 'Abbās ﷺ: Sa'd bin 'Ubāda[2] asked Allāh's Messenger ﷺ for a ruling regarding a vow taken by his mother[3] who had died before

(١١٨٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: اسْتَفْتَى سَعْدُ بْنُ عُبَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ رَسُولَ اللهِ ﷺ فِي نَذْرٍ كَانَ عَلَىٰ

---

thus made is a specified one, and one has the capability to fulfill it, it is compulsory for him to do so. If the person does not have the capability to do it, he will incur the same atonement penalty (*Kaffarah*) as applicable to an oath-taking (*Al-Yamin*). If the same involves disobedience of Allāh or a sinful act, some scholars are of the opinion that it will not incur any atonement penalty (*Kaffarah*), whereas according to some of them it will incur an oath atonement penalty (*Kaffarah Al-Yamin*).

[1] This *Hadīth* states that if someone makes a vow of making a barefooted journey all the way to the House of Allāh (the Ka'ba), it is not binding on him to do so. It further informs us that a vow made in the disobedience of Allāh also incurs an atonement penalty (*Kaffarah*), i.e. the fast of three days. This is in reference to her uncovering her hair.

[2] He was the leader of Al-Khazraj, the bearer of the flag of *Al-Ansār* in all the battles and one of the group leaders at *Bai'atul-'Aqaba*. He was a noble and generous man and used to write in Arabic. He was also good at swimming and shooting, and was called Al-Kāmil (the perfect) because of those qualities. He used to give out a lot of *Sadaqa*. He failed to turn up when Abū Bakr رضي الله عنه was being sworn in for the caliphate and left Al-Madīnah. It is said that the jinn killed him at Haurān within Damascus region in the year 14 H., 15 H or 16 H.

[3] This narration does not explain the nature of the vow thus made. Another *Hadīth* states that it involved the manumission of a slave. This explains that a deceased person's financial

fulfilling it, and he said, "Fulfill it on her behalf." [Agreed upon].

أُمِّهِ، تُوُفِّيَتْ قَبْلَ أَنْ تَقْضِيَهُ، فَقَالَ: «اقْضِهِ عَنْهَا». مُتَّفَقٌ عَلَيْهِ.

1184. Narrated Thābit bin Ad-Dahhāk ﷺ: that in the time of Allāh's Messenger ﷺ a man took a vow to slaughter camels at Bawāna. So, he came to Allāh's Messenger ﷺ and asked him (about that). Allāh' Messenger ﷺ asked, "Did the place contain any idol which was worshiped (during the *Jāhiliya* era)?"[1] He said, "No." He asked "Were any of their (*Jāhiliya*) festivals observed there?" He said, "No." He then said (to the man), "Fulfill your vow, for there is no fulfillment of a vow to do an act of disobedience to Allāh, nor to break the ties of relationship, nor to do something over which a human being has no control." [Reported by Abū Dā'ud and, and the wording is his (At-Tabarāni). It has a sound chain of narrators]. It has a *Shāhid* (supporting narration) from the *Hadīth* of Kardam[2] reported by Ahmad.

(١١٨٤) وَعَنْ ثَابِتِ بْنِ الضَّحَّاكِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: نَذَرَ رَجُلٌ عَلَىٰ عَهْدِ رَسُولِ اللهِ ﷺ أَنْ يَنْحَرَ إِبِلاً بِبُوَانَةَ، فَأَتَى رَسُولَ اللهِ ﷺ، فَسَأَلَهُ، فَقَالَ: «هَلْ كَانَ فِيهَا وَثَنٌ يُعْبَدُ؟» قَالَ: لَا. قَالَ: «فَهَلْ كَانَ فِيهَا عِيدٌ مِنْ أَعْيَادِهِمْ؟» فَقَالَ: لَا. فَقَالَ: «أَوْفِ بِنَذْرِكَ، فَإِنَّهُ لَا وَفَاءَ لِنَذْرٍ فِي مَعْصِيَةِ اللهِ، وَلَا فِي قَطِيعَةِ رَحِمٍ، وَلَا فِيمَا لَا يَمْلِكُ ابْنُ آدَمَ». رَوَاهُ أَبُو دَاوُدَ وَالطَّبَرَانِيُّ، وَاللَّفْظُ لَهُ، وَهُوَ صَحِيحُ الْإِسْنَادِ. وَلَهُ شَاهِدٌ مِنْ حَدِيثِ كَرْدَمٍ عِنْدَ أَحْمَدَ.

1185. Narrated Jābir (bin 'Abdullāh) ﷺ: A man said on the day of the *Fath*, "O Messenger of Allāh, I have vowed that if Allāh opens the conquest of Makkah at your hands I shall pray in Jerusalem." He replied, "Pray here."[3] He asked

(١١٨٥) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَجُلاً قَالَ يَوْمَ الْفَتْحِ: يَا رَسُولَ اللهِ! إِنِّي نَذَرْتُ - إِنْ فَتَحَ اللَّهُ عَلَيْكَ مَكَّةَ - أَنْ أُصَلِّيَ فِي بَيْتِ الْمَقْدِسِ. فَقَالَ: صَلِّ هَاهُنَا.

---

obligations – incurred by invoking such vows – must be met by his successors. However, some scholars hold that they are not obligated to do so.

[1] This *Hadīth* informs us that if someone makes a vow to perform a certain act of worship in a certain place, it is obligatory upon him to fulfill his vow, as long as no ritual ceremonies of the polytheists, and none of their festivals and fairs, are observed in that particular place. However, though it is permissible, it is not required to fulfill the vow in that particular place.

[2] Kardam bin Sufyān Ath-Thaqafi was a *Sahābi* and his daughter Maimuna who was a *Sahābiya* and 'Abdullāh bin 'Amr bin Al-'Aas narrated the *Hadīth* from him.

[3] This *Hadīth* alludes to one of the cardinal principles to the effect that if a person makes a vow to perform a prayer at a certain house of worship, his vow may be fulfilled by performing his prayer in a mosque which is either equal – or greater – in status than that of the vowed one. However, if he prays in a mosque of a lesser status, his vow shall not be accomplished. However, his offering a prayer in the Mosque of the Prophet ﷺ or in Al-Masjid-al-Harām will

him again and he replied, "Pray here." He asked him again and he replied, "It's up to you, then." [Reported by Ahmad and Abū Dā'ud. Al-Hākim graded it *Sahih* (authentic)].

فَسَأَلَهُ، فَقَالَ: صَلِّ هاهنا، فَسَأَلَهُ فَقَالَ: فَشَأْنَكَ إِذَنْ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَصَحَّحَهُ الحَاكِمُ.

1186. Narrated Abū Sa'īd Al-Khudri ﷺ: The Prophet ﷺ said, "No (religious) journey is to be undertaken except to (pray in) the three mosques: The Sacred Mosque (Makkah), the Aqsa Mosque (Jerusalem), and this Mosque of mine (Al-Madīnah)." [Agreed upon, and the wording is Al-Bukhāri's].

(١١٨٦) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «لَا تُشَدُّ الرِّحَالُ إِلَّا إِلَى ثَلَاثَةِ مَسَاجِدَ: الْمَسْجِدِ الحَرَامِ، وَمسْجِدِ الأَقْصَى، وَمَسْجِدِي هَذَا». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

1187. Narrated 'Umar ﷺ : [concerning his consultation with the Prophet] He said: I said: O Allāh's Messenger (ﷺ), I made a vow in the *Jahiliya* times[1] to spend a night in devotion (*I'tikāf*) in the Sacred Mosque. He (the Prophet) said, "Fulfill your vow." [Agreed upon]. Al-Bukhāri added in another narration: "Then, spend a night in devotion (in the Sacred Mosque)."

(١١٨٧) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قُلْتُ: يَا رَسُولَ اللهِ! إِنِّي نَذَرْتُ فِي الجَاهِلِيَّةِ أَنْ أَعْتَكِفَ لَيْلَةً فِي المَسْجِدِ الحَرَامِ. قَالَ: فَأَوْفِ بِنَذْرِكَ. مُتَّفَقٌ عَلَيْهِ، وَزَادَ البُخَارِيُّ فِي رِوَايَةٍ: فَاعْتَكِفْ لَيْلَةً.

---

fulfill his vow. A vow undertaken to perform a prayer in Al-Masjid-al-Harām will not be fulfilled by praying in either the Mosque of the Prophet ﷺ or the Mosque of Baitul-Maqdis. A person undertaking this vow must perform his prayer necessarily in Al-Masjid-al-Harām to fulfill his vow.

[1] The people who uphold the view that a vow made by a non-believer has no bearing or is not a lawful one refer to this *Hadīth* as an evidence. Al-Bukhari, Ibn Jarir and others hold that a non-believer must fulfill his vow if he enters Al-Islām.

14. THE BOOK OF JUDGEMENT

١٤ - كِتَابُ القَضَاءِ

1188. Narrated Buraida ﷺ: Allāh's Messenger ﷺ said: "*Al-Qudāt* (judges) are of three types, two[1] of whom will go to Hell and one to Paradise. The one who will go to Paradise is a man who knows what is right and gives judgement accordingly. However, a man who knows what is right, and does not give judgement accordingly and acts unjustly in his judgement, will be in the Hell-Fire. Likewise, a man who does not know what is right and judges people with ignorance, will be in the Hell-Fire." [Reported by *Al-Arba'a*, and Al-Hākim graded it *Sahih* (authentic)].

(١١٨٨) عَنْ بُرَيْدَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «القُضَاةُ ثَلَاثَةٌ، اثْنَانِ فِي النَّارِ، وَوَاحِدٌ فِي الجَنَّةِ: رَجُلٌ عَرَفَ الحَقَّ فَقَضَى بِهِ، فَهُوَ فِي الجَنَّةِ، وَرَجُلٌ عَرَفَ الحَقَّ فَلَمْ يَقْضِ بِهِ، وَجَارَ فِي الحُكْمِ فَهُوَ فِي النَّارِ. وَرَجُلٌ لَمْ يَعْرِفِ الحَقَّ، فَقَضَى لِلنَّاسِ عَلَى جَهْلٍ فَهُوَ فِي النَّارِ». رَوَاهُ الأَرْبَعَةُ، وَصَحَّحَهُ الحَاكِمُ.

1189. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "He who has been appointed a *Qādi* (Judge) has been slaughtered without a knife."[2] [Reported by Ahmad and *Al-Arba'a*. Ibn Khuzaima and Ibn Hibbān graded it *Sahih* (authentic)].

(١١٨٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ وَلِيَ القَضَاءَ فَقَدْ ذُبِحَ بِغَيْرِ سِكِّينٍ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ.

1190. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said, "You will eagerly seek out the office of governorship, but it will become a cause of regret on the Day of Resurrection. How excellent it is

(١١٩٠) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّكُمْ سَتَحْرِصُونَ عَلَى الإِمَارَةِ، وَسَتَكُونُ نَدَامَةً يَوْمَ القِيَامَةِ، فَنِعْمَتِ المُرْضِعَةُ، وَبِئْسَتِ

[1] This *Hadīth* states two points. First, a person who does not know the truth and another person, who does not act upon the truth despite being aware of it, such persons shall equally be condemned to Hell-fire. It means that knowledge without action has no value. Secondly, the possibility of committing a judgmental error exists for anyone who exercises a judgement. Had it not been so, people would not have been divided as such and making of such fine distinctions among them would have been out of place.

[2] By reading this *Hadīth*, one may gather an idea about the extent of severity, the court magistrates are subjected to. Whoever takes the position of *Qadi*, it is a though he is subjecting himself to be slaughtered, i.e. destroyed. If the magistrate (*Qadi*) is a pious person, he has to make a great effort in searching out the correct and just judgement. Despite all this, he will be subjected to an ordeal of an extremely difficult accountability on the Day of Judgement. Another *Hadīth* states that a righteous magistrate will be called for on the Day of Judgement and will be subjected to such an intense and severe interrogation that he will say, "Would that I never have exercised a judgement even between two people." In case a magistrate turns out to be an oppressor and a bribe-taker, he will dwell in the Hell-fire.

as a *Murdi'ah* (wet nurse)! And how evil it is as a *Fātimah* (one who weans)![1] ." [Reported by Al-Bukhāri].

الفَاطِمَةُ». رَوَاهُ البُخَارِيُّ.

1191. Narrated 'Amr bin Al-'Aas ﷺ: He heard Allāh's Messenger ﷺ say, "When a judge gives a ruling, having tried his best to decide correctly, and is right (in his decision), he will have a double reward; and when he gives a ruling, having tried his best to decide correctly, and is wrong (in his decision), he will have a single reward." [Agreed upon].

(١١٩١) وَعَنْ عَمْرِو بْنِ العَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ سَمِعَ رَسُولَ اللهِ ﷺ يَقُولُ: «إِذَا حَكَمَ الحَاكِمُ فَاجْتَهَدَ ثُمَّ أَصَابَ فَلَهُ أَجْرَانِ، وإِذَا حَكَمَ فاجْتَهَدَ ثُمَّ أَخْطَأَ فَلَهُ أَجْرٌ». مُتَّفَقٌ عَلَيْهِ.

1192. Narrated Abū Bakra ﷺ: I heard Allāh's Messenger ﷺ say, "No judge should give judgement between two people while he is angry."[2] [Agreed upon].

(١١٩٢) وَعَنْ أَبِي بَكْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «لَا يَحْكُمْ أَحَدٌ بَيْنَ اثْنَيْنِ وَهُوَ غَضْبَانُ». مُتَّفَقٌ عَلَيْهِ.

1193. Narrated 'Ali ﷺ: Allāh's Messenger ﷺ said, "When two men bring a case before you, do not decide in favor of the first till you hear what the other has to say,[3] then you will know how to judge." 'Ali ﷺ said, "Since then, I have continued to judge (in accordance with that)." [Reported by Ahmad, Abū Dā'ud and At-Tirmidhi. The latter graded it *Hasan* (good), while Ibn Al-Madini graded it *Qawi* (strong), and Ibn Hibbān graded it *Sahih* (authentic). It

(١١٩٣) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا تَقَاضَى إِلَيْكَ رَجُلَانِ فَلَا تَقْضِ لِلأَوَّلِ حَتَّى تَسْمَعَ كَلَامَ الآخَرِ، فَسَوفَ تَدْرِي كَيْفَ تَقْضِي؟». قَالَ عَلِيٌّ: فَمَا زِلْتُ قَاضِياً بَعْدُ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ وَقَوَّاهُ ابْنُ المَدِينِيِّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَلَهُ شَاهِدٌ عِنْدَ الحَاكِمِ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ.

---

[1] Meaning such authority is a source of many pleasures for the ruler in this world. However, when he dies and is weaned, i.e. deprived of these pleasures and taken to account on the Judgement Day, evil is its end for the one who has failed to live up to its responsibilities.

[2] A judge should not pronounce his verdict in the condition of being overpowered and driven by anger or similar conditions, such as thirst, sickness, worry or sleepiness. If he does so, his judgement may incline towards what is unjust. This action has been graded as نهي تحريمي (strictly forbidden) in *Shari'a* terminology. In case, a judge does happen to pass a verdict while seething with anger, whether or not such a verdict will be considered as valid and effective is also a disputed point. Some scholars regard it to be valid, whereas the others do not. Similarly, in the light of common sense, such a verdict does not appear to be acceptable.

[3] This *Hadīth* states that passing a judgement merely by listening to the statement of a claimant is wrong, unless a defendant is given an opportunity to clarify his position also. In case a defendant observes silence, refuses to answer an interrogation or does not care to attend the court on the specified dates of hearing, then a judge has a right to pronounce the judgement.

has a *Shāhid* (supporting narration) reported by Al-Hākim from the *Hadīth* of Ibn 'Abbās].

(١١٩٤) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّكُمْ تَخْتَصِمُونَ إِلَيَّ، وَلَعَلَّ بَعْضَكُمْ أَنْ يَكُونَ أَلْحَنَ بِحُجَّتِهِ مِنْ بَعْضٍ، فَأَقْضِي لَهُ عَلَى نَحْوِ مَا أَسْمَعُ مِنْهُ، فَمَنْ قَطَعْتُ لَهُ مِنْ حَقِّ أَخِيهِ شَيْئاً، فَإِنَّمَا أَقْطَعُ لَهُ قِطْعَةً مِنَ النَّارِ». مُتَّفَقٌ عَلَيْهِ.

1194. Narrated Umm Salama ﵂: Allāh's Messenger ﷺ said, "Indeed, you bring your disputes to me, and perhaps some of you are more eloquent in their plea than others, so that I give judgement on their behalf according to what I hear from them. Therefore, whatever I rule for anyone which by right belongs to his brother, I am only granting him a portion of Hell-Fire."[1] [Agreed upon].

(١١٩٥) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «كَيْفَ تُقَدَّسُ أُمَّةٌ لَا يُؤْخَذُ مِنْ شَدِيدِهِمْ لِضَعِيفِهِمْ». رَوَاهُ ابْنُ حِبَّانَ، وَلَهُ شَاهِدٌ مِنْ حَدِيثِ بُرَيْدَةَ عِنْدَ البَزَّارِ. وَآخَرُ مِنْ حَدِيثِ أَبِي سَعِيدٍ عِنْدَ ابْنِ مَاجَهْ.

1195. Narrated Jābir ﵁: I heard Allāh's Messenger ﷺ saying, "How could an *Ummah* (people) be purified (of its sins) where the right of its weak is not taken from its strong."[2] [Reported by Ibn Hibbān. It has a *Shāhid* (supporting narration) from the *Hadīth* of Buraida, reported by Al-Bazzār, and another from the *Hadīth* of Abū Sa'īd, reported by Ibn Mājah].

(١١٩٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «يُدْعَى بِالقَاضِي العَادِلِ يَوْمَ القِيَامَةِ، فَيَلْقَى مِنْ شِدَّةِ الحِسَابِ مَا يَتَمَنَّى أَنَّهُ لَمْ يَقْضِ بَيْنَ اثْنَيْنِ فِي عُمُرِهِ». رَوَاهُ ابْنُ حِبَّانَ، وَأَخْرَجَهُ البَيْهَقِيُّ، وَلَفْظُهُ «فِي تَمْرَةٍ».

1196. Narrated 'Aisha ﵂: I heard Allāh's Messenger ﷺ saying, "The just *Qādi* (Judge) will be called (forth) on the Day of Resurrection and he will wish he had never given judgement even between two men throughout his life, due to the severity of the account he will face." [Reported by Ibn Hibbān. Al-Baihaqi reported it with the wording: " ... concerning a single *tamrah* (date fruit)."]

[1] This *Hadīth* apprises us of a couple of very important points. The first one is that if a judge passes a verdict contrary to what the mores and norms of propriety and justice call for, then Allāh shall consider such an unjust verdict invalid, and a final verdict shall be pronounced about it on the Day of Judgement. Secondly, the Prophet ﷺ did not possess knowledge of the unseen. Otherwise, he would have refrained from making such a statement.

[2] This *Hadīth* implies that redressing the rights of the weaker sections against the encroachment of the powerful (i.e., restoration of the rights of the poor which have been impinged upon by the rich) is obligatory. If the oppression and injustice become rampant among the rulers of a nation, then that entire nation is called to account.

1197. Narrated Abū Bakra ﷺ: The Prophet ﷺ said, "A people who make a woman their ruler[1] will never be successful." [Reported by Al-Bukhāri].

(١١٩٧) وَعَنْ أَبِي بَكْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «لَنْ يُفْلِحَ قَوْمٌ وَلَّوْا أَمْرَهُمُ امْرَأَةً». رَوَاهُ الْبُخَارِيُّ.

1198. Narrated Abū Maryam Al-Azdi[2] ﷺ: The Prophet ﷺ said, "Whoever is placed by Allah over any matter of the affairs of the Muslims, and then conceals himself (i.e. holds back) from dealing with their needs and their poor (people), Allāh will conceal Himself (i.e. hold back) from fulfilling his needs."[3] [Abū Dā'ud and At-Tirmidhi reported it].

(١١٩٨) وَعَنْ أَبِي مَرْيَمَ الأَزْدِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ وَلَّاهُ اللَّهُ شَيْئاً مِنْ أَمْرِ الْمُسْلِمِينَ، فَاحْتَجَبَ عَنْ حَاجَتِهِمْ وَفَقْرِهِمْ، احْتَجَبَ اللَّهُ دُونَ حَاجَتِهِ». أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ.

1199. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ cursed[4] the one who bribes and the one who takes bribes to influence the judgement. [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi graded it *Hasan* (good), and Ibn Hibbān graded it *Sahih* (authentic). It has a *Shāhid* (supporting narration) from 'Abdullāh bin 'Amr's *Hadīth,* reported by *Al-Arba'a* except An-Nasā'i].

(١١٩٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَعَنَ رَسُولُ اللهِ ﷺ الرَّاشِيَ وَالْمُرْتَشِيَ فِي الْحُكْمِ. رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَحَسَّنَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَلَهُ شَاهِدٌ مِنْ حَدِيثِ عَبْدِاللهِ بْنِ عَمْرٍو عِنْدَ الأَرْبَعَةِ إِلَّا النَّسَائِيَّ.

1200. Narrated 'Abdullāh bin Az-Zubair ﷺ: Allāh's Messenger ﷺ ruled that the

(١٢٠٠) وَعَنْ عَبْدِاللهِ بْنِ الزُّبَيْرِ رَضِيَ اللَّهُ تَعَالَى عَنْهُما قَالَ: قَضَى رَسُولُ اللهِ ﷺ أَنَّ

[1] The Prophet ﷺ uttered these words at the time when the Iranians enthroned Khosru's (Kisra's) daughter and made her their empress. Whether or not a woman may be assigned the duties of a judge in a court of law to exercise judgements in the matters related to public affairs, is a disputed point. However, the majority of scholars hold that a woman may not be appointed a judge to a criminal court where murder and other crime related trials are conducted.

[2] This *Sahābi,* also called Al-Asadi, was a Hadrami. He paid a visit to Mu'āwiya in Shām and told him this *Hadīth.*

[3] This *Hadīth* implies that it is prohibited for a ruler to appoint a sentinel on the point of entry. Similarly, it is forbidden to shut the gate of a court. Instead, everybody, whether rich or poor, should be able to enter the court without hindrance.

[4] Both the bribe givers and bribe takers are accursed ones. Now, there are two applied situations. The first one involves a person who pays a bribe in order to acquire what lawfully belongs to him. In this situation, the bribe thus given becomes forbidden for the one accepting it and not for the one giving it. The second situation involves a person who pays a bribe in order to acquire more than what lawfully belongs to him and thereby encroaching upon the rights of another person. A bribe thus given will be regarded as forbidden for the giver and the taker equally.

two opposing parties in a dispute should sit[1] in front of the judge. [Reported by Abū Dā'ud. Al-Hākim graded it *Sahih* (authentic)].

الخَصْمَيْنِ يَقْعُدَانِ بَيْنَ يَدَيِ الحَاكِمِ. رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ الحَاكِمُ.

Chapter 1
THE TESTIMONIES

١ - بَابُ الشَّهَادَاتِ

1201. Narrated Zaid bin Khālid Al-Juhani ﷺ: The Prophet ﷺ said, "Shall I not inform you who is the best witness? He is the one who produces his testimony before he is asked[2] for it." [Reported by Muslim].

(١٢٠١) عَنْ زَيْدِ بْنِ خَالِدٍ الجُهَنِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ: «أَلَا أُخْبِرُكُمْ بِخَيْرِ الشُّهَدَاءِ؟ هُوَ الَّذِي يَأْتِي بِالشَّهَادَةِ قَبْلَ أَنْ يُسْأَلَهَا». رَوَاهُ مُسْلِمٌ.

1202. Narrated 'Imrān bin Husain ﷺ: Allāh's Messenger ﷺ said, "Verily! The best of you (i.e. Muslims) are my generation, then their immediate followers, then their immediate followers. After them there will be people who will give (false) testimony without being asked (to testify),[3] who will be treacherous and are not to be trusted, who will make vows and will not fulfill them, among whom obesity will appear." [Agreed upon].

(١٢٠٢) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ خَيْرَكُمْ قَرْنِي، ثُمَّ الَّذِينَ يَلُونَهُمْ، ثُمَّ الَّذِينَ يَلُونَهُمْ، ثُمَّ يَكُونُ قَوْمٌ يَشْهَدُونَ، وَلَا يُسْتَشْهَدُونَ، وَيَخُونُونَ وَلَا يُؤْتَمَنُونَ، وَيَنْذِرُونَ وَلَا يُوفُونَ، وَيَظْهَرُ فِيهِمُ السِّمَنُ». مُتَّفَقٌ عَلَيْهِ.

1203. Narrated 'Abdullāh bin 'Umar ﷺ: Allāh's Messenger ﷺ said, "It is not permissible to accept the testimony of a man or a woman who does not fulfill their trusts, or of one who harbors a grudge against his brother, or the testimony of one who is dependent on a family (to testify) for members of the

(١٢٠٣) وَعَنْ عَبْدِاللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَجُوزُ شَهَادَةُ خَائِنٍ وَلَا خَائِنَةٍ، وَلَا ذِي غِمْرٍ عَلَى أَخِيهِ، وَلَا تَجُوزُ شَهَادَةُ القَانِعِ لِأَهْلِ البَيْتِ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ.

[1] This inculcates two things. The first thing is that both the plaintiff and defendant be treated on an equal footing, none of them should be accorded a preferential treatment. Secondly, both the plaintiff and defendant should take their statements before the magistrate in a sitting posture and not the standing one.

[2] These are the ones who testify promptly for the sake of Allāh alone so that justice could be done. They do not wait until such a time that the oppressed should approach them and implore them to testify for him.

[3] These are the kind of people who testify on their own in order that their reliability be established by any means, fair or unfair. These are in fact driven by an ulterior motive to establish a misleading and fictitious groundwork for the trial so that it may progress on the basis of misrepresentation and distortion of facts. These are witnesses of the worst kind.

family."[1] [Reported by Ahmad and Abū Dā'ud].

1204. Narrated Abū Huraira ﷺ: He heard Allāh's Messenger ﷺ say, "The testimony of a bedouin against a city dweller is not permissible."[2] [Reported by Abū Dā'ud and Ibn Mājah].

(١٢٠٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ سَمِعَ رَسُولَ اللهِ ﷺ قَالَ: «لَا تَجُوزُ شَهَادَةُ بَدَوِيٍّ عَلَى صَاحِبِ قَرْيَةٍ». رَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ.

1205. Narrated 'Umar bin Al-Khattāb ﷺ: He addressed the people and said, "People were sometimes judged by the revealing of a Divine Revelation during the lifetime of Allāh's Messenger ﷺ, but now the Divine Revelation has been discontinued [i.e. there is no longer any new revelation coming]. Now we will judge you by the deeds you practice publicly."[3] [Reported by Al-Bukhāri].

(١٢٠٥) وَعَنْ عُمَرَ بْنِ الخَطَّابِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ خَطَبَ فَقَالَ: إِنَّ أُنَاساً كَانُوا يُؤْخَذُونَ بِالوَحْيِ فِي عَهْدِ رَسُولِ اللهِ ﷺ، وَإِنَّ الوحْيَ قَدِ انْقَطَعَ، وَإِنَّمَا نَأْخُذُكُمْ الآنَ بِمَا ظَهَرَ لَنَا مِنْ أَعْمَالِكُمْ. رَوَاهُ البُخَارِيُّ.

1206. Narrated Abū Bakra ﷺ: The Prophet ﷺ considered *Shahādah Az-Zur* (giving a false testimony) among the most serious of major sins. [Al-Bukhāri and Muslim reported it in a long *Hadīth*].

(١٢٠٦) وَعَنْ أَبِي بَكْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، أَنَّهُ عَدَّ شَهَادَةَ الزُّورِ فِي أَكْبَرِ الكَبَائِرِ. مُتَّفَقٌ عَلَيْهِ فِي حَدِيثٍ طَوِيلٍ.

1207. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ said to a man, "Do you see the sun?" He replied, "Yes." He said,

(١٢٠٧) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ لِرَجُلٍ: «تَرَى

[1] A testimony given by an unfaithful person, an enemy or the one testifying in favour of his relative, is not acceptable as the same involves the possibility that such persons, more often than not, may go to brash extremes while testifying (due to the built-in prejudices). Similarly, a person may not testify for someone who feeds him since there is a possibility that such a person may show partiality favouring his benefactor. A witness must be a just person who is not inclined to favor either of the two parties.

[2] The only reason for this restriction is that since the bedouins usually have no idea about the prevailing conditions and circumstances of the city and village dwellers, they are prohibited to testify for them. Since the people living in a city are better informed about their fellow city inhabitants, their testimonies in regard to a trial concerning a fellow city-dweller, are acceptable. If a bedouin is fully knowledgeable about the relevant circumstances, his testimony shall also be acceptable, provided that he is a just person.

[3] This *Hadīth* states that the judgements shall be pronounced according to what seems to be justified and appropriate (apparently). In case someone commits perjury and makes a statement contrary to what the facts are, the sin thus incurred shall be solely credited to the perjurer. The court judge is hereby absolved of any sin whatsoever and bears no accountability in this matter.

"Give witness in a similar case [which is as clear as the sun], or leave it [1] ." [Ibn 'Adi reported it with a *Da'if* (weak) chain of narrators, and Al-Hākim graded it *Sahih* (authentic), but he was mistaken].

الشَّمْسَ؟» قَالَ: نَعَمْ. قَالَ: «عَلَى مِثْلِهَا فَاشْهَدْ، أَوْ دَعْ». أَخْرَجَهُ ابْنُ عَدِيٍّ بِإِسْنَادٍ ضَعِيفٍ، وَصَحَّحَهُ الحَاكِمُ فَأَخْطَأَ.

1208. Narrated (Ibn 'Abbās) ﷺ: Allāh's Messenger ﷺ ruled on the basis of an oath and a single witness.[2] [Muslim, Abū Dā'ud and An-Nasā'i reported it, the latter said that it has a *Jayyid* (good) chain of narrators].

(١٢٠٨) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَضَى بِيَمِينٍ وَشَاهِدٍ. أَخْرَجَهُ مُسلِمٌ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَقَالَ: إِسْنَادُهُ جَيِّدٌ.

1209. Narrated Abū Huraira ﷺ: Something similar to the aforesaid *Hadīth*. [Abū Dā'ud and At-Tirmidhi reported it; Ibn Hibbān graded it *Sahih* (authentic)].

(١٢٠٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مِثْلُهُ. أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

Chapter 2
DA'WA AND *BAIYINAT*[3]
(CLAIMS AND EVIDENCES)

٢ - بَابُ الدَّعْوَى وَالبَيِّنَاتِ

1210. Narrated Ibn 'Abbās ﷺ: The Prophet ﷺ said, "If people were given whatever they claimed (in disputes), some people would claim the lives and wealth of others;[4] but the oath (of denial) must be taken by the defendant." [Agreed upon].

(١٢١٠) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَوْ يُعْطَى النَّاسُ بِدَعْوَاهُمْ لَادَّعَى نَاسٌ دِمَاءَ رِجَالٍ وَأَمْوَالَهُمْ، وَلَكِنَّ اليَمِينَ عَلَى المُدَّعَى عَلَيْهِ». مُتَّفَقٌ عَلَيْهِ.

[1] It means that a person should only testify to something that facts of which he is absolutely certain about. One should not testify to something merely upon conjecture, or upon hearing a rumor that may be of doubtful accuracy.

[2] It is clarified by this *Hadīth* that if two witnesses are not available then one witness, along with an oath by the claimant with be sufficient. In case no witness is available, then the oath of the claimant will not be sufficient to establish his claim. In such a situation, the defendant will be required to make an oath denying the claim made against him.

[3] The definition of *Da'wa* (claim) is to lay one's claim on something by asserting: "I have a right on such and such thing", regardless of whether the claim thus laid is true or false.

Baiyināt implies a clear evidence, since it establishes and proves the right of the lawful owner to the contested item.

[4] One of the major principles of jurisprudence is that a claimant must prove his claim by providing evidences, producing witnesses, or else, the defendant must verify and confess to the truth of what he claims. If this is not done, the defendant should bring forth evidences refuting the claim or take an oath to this end. The suspected murder trial is the only trial where the defendant (if the situation warrants), will have to produce 50 different persons administering an oath as witnesses. If the defendant fails to do so, or the claimant does not

Al-Baihaqi has reported with a *Sahih* (authentic) chain of narrators: "But the proof (*Bayyinah*) lies on the one who is making the claim, and the oath (*Yamin*) must be taken by the one who rejects the claim."

وَلِلْبَيْهَقِيِّ بِإِسْنَادٍ صَحِيحٍ: «البَيِّنَةُ عَلَى المُدَّعِي، وَاليَمِينُ عَلَى مَنْ أَنْكَرَ».

1211. Narrated Abū Huraira ﷺ: The Prophet ﷺ suggested to some people that they should take an oath (*Yamin*) and when they hastened to do so he ordered that lots should be cast[1] among them concerning the oath, as to which of them should take it. [Reported by Al-Bukhāri].

(١٢١١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ عَرَضَ عَلَىٰ قَوْمٍ اليَمِينَ فَأَسْرَعُوا، فَأَمَرَ أَنْ يُسْهَمَ بَيْنَهُمْ فِي اليَمِينِ، أَيُّهُمْ يَحْلِفُ. رَوَاهُ البُخَارِيُّ.

1212. Narrated Abū Umāma Al-Harithi[2] ﷺ: Allāh's Messenger ﷺ said, "If anyone seized – by his oath – what rightly belongs to a Muslim, Allāh has made the Hell-Fire compulsory for him and forbidden for him the Paradise." A man asked, "O Allāh's Messenger, even if it were something insignificant?" He replied, "Even if it were a stick[3] from an *Arāk* tree." [Reported by Muslim].

(١٢١٢) وَعَنْ أَبِي أُمَامَةَ الحَارِثِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَنِ اقْتَطَعَ حَقَّ امْرِىءٍ مُسْلِمٍ بِيَمِينِهِ فَقَدْ أَوْجَبَ اللَّهُ لَهُ النَّارَ، وَحَرَّمَ عَلَيْهِ الجَنَّةَ». فَقَالَ لَهُ رَجُلٌ: وَإِنْ كَانَ شَيْئاً يَسِيراً يَا رَسُولَ اللهِ؟ قَالَ: «وَإِنْ كَانَ قَضِيباً مِنْ أَرَاكٍ». رَوَاهُ مُسْلِمٌ.

1213. Narrated Al-Ash'ath bin Qais[4] ﷺ: Allāh's Messenger ﷺ said, "If

(١٢١٣) وَعَنِ الأَشْعَثِ بْنِ قَيْسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَنْ حَلَفَ

believe the oaths thus undertaken to be creditable, he can administer a similar oath and claim the blood money.

[1] If the nature of the claim happens to be such that both the parties seem to be the claimants and defendants at the same time, then both the parties have a right to undertake an oath. In case one of the parties refuses to undertake an oath, the opponent may do the same and take the disputed item. If both the parties are prepared to undertake an oath, their eligibility will be decided by casting a lot. Whoever's name appears out of this process, shall undertake an oath and take away the thing disputed. This applies to conditions where none of the parties have proof substantiating their claim. If one of them does have an evidence, then the right to administer such an oath belongs to him alone.

[2] He is Abū Umāma Iyās bin Tha'laba Al-Ansāri Al-Hārithi Al-Khazraji. It was also said that he was a Balawi and an ally of *Al-Ansār*. He was one of the old *Sahāba*, but did not attend Badr, because he was nursing his mother.

[3] This *Hadīth* clearly indicates that if a person, by administering a false oath, takes away even a minor thing belonging to someone else, or deprives someone of his right by doing so, he shall be forbidden to enter Paradise.

[4] Ash'ath bin Qais bin Ma'dikarib Al-Kindi, Abū Muhammad was a *Sahābi* who settled at Kufa. He lost both eyes at the battle of Yarmūk. He was generous, kind and once made an oath and atoned it by fifteen thousand. He was appointed as the governor of Azerbaijān and

anyone swears a firm oath – knowingly, intentionally – taking by it property belonging to a Muslim, Allāh will be angry with him when he meets Him (on the Day of Resurrection)." [Agreed upon].

عَلَى يَمِينٍ، يَقْتَطِعُ بِهَا مَالَ امْرِئٍ مُسْلِمٍ، هُوَ فِيهَا فَاجِرٌ، لَقِيَ اللَّهَ وَهُوَ عَلَيْهِ غَضْبَانُ». مُتَّفَقٌ عَلَيْهِ.

1214. Narrated Abū Mūsa ﷺ: Two men had a dispute over an animal, and neither of them had a proof. So Allāh's Messenger (ﷺ) gave a ruling that it be divided in halves between them.[1] [Reported by Ahmad, Abū Dā'ud and An-Nasā'i, and the wording is his (An-Nasā'i) who said that it's chain of narrators is *Jayyid* (good)].

(١٢١٤) وَعَنْ أَبِي مُوسَى رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَجُلَيْنِ اخْتَصَمَا فِي دَابَّةٍ، وَلَيْسَ لِوَاحِدٍ مِنْهُمَا بَيِّنَةٌ، فَقَضَى بِهَا رَسُولُ اللهِ بَيْنَهُمَا نِصْفَيْنِ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَهٰذَا لَفْظُهُ، وَقَالَ: إِسْنَادُهُ جَيِّدٌ.

1215. Narrated Jābir ﷺ: The Prophet ﷺ said, "If anyone swears a false oath on this *Minbar* of mine, he will have prepared his seat in the Hell-Fire."[2] [Reported by Ahmad, Abū Dā'ud and An-Nasā'i. Ibn Hibbān graded it *Sahih* (authentic)].

(١٢١٥) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ حَلَفَ عَلَى مِنْبَرِي هٰذَا بِيَمِينٍ آثِمَةٍ تَبَوَّأَ مَقْعَدَهُ مِنَ النَّارِ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1216. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "There are three[3] to whom Allāh will not speak to on the Day of Resurrection, nor will He look at them, nor will He purify them, and they will have a painful punishment: (a) a man at a place with excess water in the desert and who withholds it from the travelers; (b) a man who sold a commodity to another person in the afternoon (or after the *'Asr* prayer) and

(١٢١٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «ثَلَاثَةٌ لَا يُكَلِّمُهُمُ اللَّهُ يَوْمَ الْقِيَامَةِ، وَلَا يَنْظُرُ إِلَيْهِمْ، وَلَا يُزَكِّيهِمْ، وَلَهُمْ عَذَابٌ أَلِيمٌ: رَجُلٌ عَلَى فَضْلِ مَاءٍ بِالْفَلَاةِ يَمْنَعُهُ مِنَ ابْنِ السَّبِيلِ. وَرَجُلٌ بَايَعَ رَجُلاً بِسِلْعَةٍ بَعْدَ الْعَصْرِ، فَحَلَفَ لَهُ بِاللهِ: لَأَخَذَهَا بِكَذَا وَكَذَا، فَصَدَّقَهُ، وَهُوَ عَلَى غَيْرِ ذٰلِكَ. وَرَجُلٌ بَايَعَ إِمَاماً لَا يُبَايِعُهُ إِلَّا لِلدُّنْيَا،

---

witnessed Siffin with 'Ali. He died forty days after the death of 'Ali in 40 H. at the age of 63 years.

[1] This is a situation where the two parties claim the ownership of the same thing. They are neither prepared to undertake an oath, nor do they have a witness to substantiate their claim. This means that they are equal in terms of their status. Should such a situation arise, the disputed thing shall be awarded to the party who has possession. In case neither of them possess it, or the same lies in an equal possession of both the parties, the same shall be divided into two equal halves and each of them given a share.

[2] This *Hadīth* states that the intensity of a sin and punishment may vary depending on the time and place of their commission and occurrence.

[3] This *Hadīth* states that in comparison to other sinners, their condition will be worst and more deplorable, as such people shall incur the anger and torment of Allāh.

swore to him by Allāh that he had bought it at such and such price and he (the buyer) believed him yet that was not the case; (c) and a man who pledged allegiance to an *Imām* only for the sake of the world (material gains). Hence, if the *Imām* bestowed on him something out of that (i.e. worldly riches) he stood by his pledge of allegiance, and if he did not give him, he did not fulfill the pledge of allegiance." [Agreed upon].

فَإِنْ أَعْطَاهُ مِنْهَا وَفَى، وَإِنْ لَمْ يُعْطِهِ مِنْهَا لَمْ يَفِ». مُتَّفَقٌ عَلَيْهِ.

1217. Narrated Jābir ﷺ: Two men disputed about a she-camel. Then, each of them said: this she-camel was born at my place, and each of them brought a proof (that it was his animal). Allāh's Messenger ﷺ then ruled that it be taken by the one who had it in his possession.

(١٢١٧) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَجُلَيْنِ اخْتَصَمَا فِي نَاقَةٍ، فَقَالَ كُلُّ وَاحِدٍ مِنْهُمَا: نُتِجَتْ عِنْدِي، وَأَقَامَا بَيِّنَةً، فَقَضَى بِهَا رَسُولُ اللهِ ﷺ لِمَنْ هِيَ فِي يَدِهِ.

1218. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ re-directed *Al-Yamin* (the oath to be sworn by the defendant) to the one making the claim to some right. [Ad-Dāraqutni reported the two aforesaid *Ahadīth*, and there is weakness in their chain of narrators].

(١٢١٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ رَدَّ اليَمِينَ عَلَى طَالِبِ الحَقِّ. رَوَاهُمَا الدَّارَقُطْنِيُّ، وَفِي إِسْنَادِهِمَا ضَعْفٌ.

1219. Narrated 'Aisha ﷺ: One day the Prophet ﷺ came to me overjoyed, his face shinning (from happiness) and said, "Did you not see that Mujazziz Al-Mudliji[1] (a physiognomist) looked at Zaid bin Hāritha and Usāma bin Zaid[2] , and then said, 'These feet (of Zaid and Usaama) are related to one another.' "[3] [Agreed upon].

(١٢١٩) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: دَخَلَ عَلَيَّ النَّبِيُّ ﷺ ذَاتَ يَوْمٍ مَسْرُوراً، تَبْرُقُ أَسَارِيرُ وَجْهِهِ، فَقَالَ: «أَلَمْ تَرَ أَنَّ مُجَزِّزاً المُدْلِجِيَّ نَظَرَ آنِفاً إِلَى زَيْدِ بْنِ حَارِثَةَ وَأُسَامَةَ بْنِ زَيْدٍ، فَقَالَ: هٰذِهِ الأَقْدَامُ بَعْضُهَا مِنْ بَعْضٍ». مُتَّفَقٌ عَلَيْهِ.

[1] He was a *Sahābi* from the tribe of Mudlij, and was called Mujazziz bin Al-A'war bin Ju'da Al-Kināni Al-Mudliji. He was one of most famous physiognomist during the *Jāhiliya* era. Ibn Yunus mentioned him among the *Sahāba* who conquered Egypt. A *Qā'if* (physiognomist) is someone who is able to recognize the resemblance between two people – e.g. between a man and his father or brother – by examining their physical features.

[2] The Prophet ﷺ was happy because some people used to doubt Zaid's fatherhood to Usāma, since Zaid was fair complexioned while Usāma was very dark. Usama's mother – Umm Ayman, whose name was Barakah ﷺ – was a black Abyssinian (Ethiopian) woman.

[3] It is narrated that Zaid bin Haritha رضي الله عنه the freed slave of the Prophet ﷺ was of a

15. THE BOOK OF EMANCIPATION

١٥ - كِتَابُ العِتْقِ

1220. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Any Muslim man who emancipates a Muslim man, Allāh will rescue from the Hell-Fire[1] an organ of his body for every organ of his (the emancipated man's body)." [Agreed upon].

(١٢٢٠) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَيُّمَا امْرِئٍ مُسْلِمٍ أَعْتَقَ امْرَءًا مُسْلِماً اسْتَنْقَذَ اللَّهُ بِكُلِّ عُضْوٍ مِنْهُ عُضْواً مِنْهُ مِنَ النَّارِ». مُتَّفَقٌ عَلَيْهِ.

Narrated Abu Umama (ﷺ): Allah's Messenger ﷺ said, "Any Muslim man who emancipates two Muslim women, they will be his ransom from the Hell-Fire." [At-Tirmidhi reported it, and graded it *Sahib* (authentic)]. Ka'b bin Murra[2] (ﷺ) narrated: (Allāh's Messenger ﷺ said) "Any Muslim woman who emancipates a Muslim woman, she will be her ransom from the Hell-Fire." [Reported by Abū Dā'ud].

وَلِلتِّرْمِذِيِّ - وَصَحَّحَهُ - عَنْ أَبِي أُمَامَةَ: «أَيُّمَا ٱمْرِئٍ مُسْلِمٍ أَعْتَقَ ٱمْرَأَتَيْنِ مُسْلِمَتَيْنِ كَانَتَا فِكَاكَهُ مِنَ النَّارِ». وَلِأَبِي دَاوُدَ مِنْ حَدِيثِ كَعْبِ ابْنِ مُرَّةَ: «أَيُّما امْرَأَةٍ مُسْلِمَةٍ أَعْتَقَتِ ٱمْرَأَةً مُسْلِمَةً كَانَتْ فِكَاكَها مِنَ النَّارِ».

1221. Narrated Abū Dhar ﷺ: I asked the Prophet ﷺ : Which action was most excellent? He replied, "Faith in Allāh and *Jihād* in His Path." I then asked, Which slaves were most excellent (for the purpose of emancipating them)? He replied, "Those whose prices are highest and are the most precious to their people." [Agreed upon].

(١٢٢١) وَعَنْ أَبِي ذَرٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَأَلْتُ النَّبِيَّ ﷺ: أَيُّ العَمَلِ أَفْضَلُ؟ قَالَ: «إِيمَانٌ بِاللهِ، وَجِهَادٌ فِي سَبِيلِهِ». قُلْتُ: فَأَيُّ الرِّقَابِ أَفْضَلُ؟ قَالَ: «أَغْلَاهَا ثَمَناً، وَأَنْفَسُهَا عِنْدَ أَهْلِهَا». مُتَّفَقٌ عَلَيْهِ.

1222. Narrated Ibn 'Umar ﷺ: Allāh's

(١٢٢٢) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا

white complexion whereas his son Usama رضي الله عنه was rather dark-complexioned. Because of this, some of the disbelievers started casting slurs on him regarding his lineage. Mujazziz Al-Mudliji saw them lying down, their faces wrapped up with linen and their feet lying bare. When he saw their feet, he uttered these words which in turn pleased the Prophet ﷺ. This proves that while making a conclusion about a certain thing, one may resort to his personal intuition (*Al-Farāsah*) and the gift of deducing facts out of reading a person's physiognomy (*Al-Qiyāfah*).

[1] The said reward may only be earned by manumitting a believing slave, although there is virtue in freeing a disbeliever as well. Indeed, the manumission of a believing slave earns the greater reward.

[2] He was a *Sahābi* and was also said to be called Murra bin Ka'b. He settled at Basra, then at Jordan where he died in the year 57 H. or 59 H.

Messenger ﷺ said "If anyone emancipates his share in a (jointly owned) slave and has enough money to pay the full price for him, a fair price for the slave should be fixed, his partners given their shares, and the slave be thus emancipated.[1] Otherwise, he is emancipated only to the extent of the first man's share." [Agreed upon].

قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ أَعْتَقَ شِرْكاً لَهُ فِي عَبْدٍ، فَكَانَ لَهُ مَالٌ يَبْلُغُ ثَمَنَ العَبْدِ، قُوِّمَ [الْعَبْدُ عَلَيْهِ] قِيمَةَ عَدْلٍ، فَأَعْطَى شُرَكَاءَهُ حِصَصَهُمْ، وَعَتَقَ عَلَيْهِ العَبْدُ، وَإِلَّا فَقَدْ عَتَقَ مِنْهُ مَا عَتَقَ». مُتَّفَقٌ عَلَيْهِ.

Narrated Abū Huraira: (The Prophet ﷺ said), "Otherwise, a price should be fixed for him, and work should be found for him (to earn his freedom), without overburdening him." [Agreed upon]. And it is said that 'to earn his freedom' is *Mudrajah* (inserted) in the text.

وَلَهُمَا عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: «وَإِلَّا قُوِّمَ عَلَيْهِ، وَاسْتُسْعِيَ غَيْرَ مَشْقُوقٍ عَلَيْهِ». وَقِيلَ: إِنَّ السِّعَايَةَ مُدْرَجَةٌ فِي الخَبَرِ.

1223. Narrated Abū Huraira: Allāh's Messenger ﷺ said, "A son does not repay what he owes his parent unless he finds him in slavery, then buys him and emancipates him."[2] [Reported by Muslim].

(١٢٢٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَجْزِي وَلَدٌ وَالِدَهُ إِلَّا أَنْ يَجِدَهُ مَمْلُوكاً فَيَشْتَرِيَهُ، فَيُعْتِقَهُ». رَوَاهُ مُسْلِمٌ.

1224. Narrated Samura (bin Jundub): The Prophet ﷺ said, "If anyone owns (in slavery) a blood-relative, who is *Mahram* (permanently prohibited in marriage),[3] that person becomes free." [Reported by Ahmad and *Al-Arba'a*. A group of *Hadīth* scholars held that the strongest view is that it is

(١٢٢٤) وَعَنْ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ مَلَكَ ذَا رَحِمٍ مَحْرَمٍ فَهُوَ حُرٌّ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَرَجَّحَ جَمْعٌ مِنَ الحُفَّاظِ أَنَّهُ مَوْقُوفٌ.

[1] This *Hadīth* states that a slave, who has been partially freed, acquires the status of a bonded slave who may not be sold to someone or given as a gift.

[2] In accordance with this *Hadīth* the *Zāhirīyah* scholars hold that a father is not considered to be free, merely on the condition that he has been paid for by his son, but that he will be regarded lawfully free only if manumitted and declared as such by his son. The other scholars hold that a father is freed merely upon being purchased by his son. This ruling is similarly applicable to a mother. This *Hadīth*, on one hand, enlightens us on the parental rights whereas on the other hand, it highlights the tremendous virtuousness ascribed to the act of freeing slaves.

[3] This *Hadīth* proves that the close relatives [e.g. father, son, brother, brother's child, father's brother and mother's brother] who are so close to each other that they could not be bound in wedlock, may not have the relationship of a master and a slave. If the enslaved person is a woman, the ruling becomes all too clear. But if such a person happens to be a male one, then the criteria to determine the applicability of this ruling is that one of those

Mawqūf (saying of a Companion)].

1225. Narrated 'Imrān bin Husain ﷺ: A man – who had no other property – emancipated six of his slaves, at the time of his death.[1] Allāh's Messenger ﷺ sent for them, divided them into three sections, had lots casts among them, and then set two free and kept four in slavery. He said a harsh word about him.[2] [Reported by Muslim].

(١٢٢٥) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما، أَنَّ رَجُلاً أَعْتَقَ سِتَّةَ مَمَالِيكَ لَهُ، عِنْدَ مَوْتِهِ، لَمْ يَكُن لَّهُ مَالٌ غَيْرَهُمْ، فَدَعَا بِهِمْ رَسُولُ اللهِ ﷺ، فَجَزَّأَهُمْ أَثْلاثاً، ثُمَّ أَقْرَعَ بَيْنَهُمْ، فَأَعْتَقَ اثْنَيْنِ، وَأَرَقَّ أَرْبَعَةً، وَقَالَ لَهُ قَوْلاً شَدِيداً. رَوَاهُ مُسْلِمٌ.

1226. Narrated Safina ﷺ: I was a slave of Umm Salama ﷺ, and she said, "I shall emancipate you, but on condition that you serve Allāh's Messenger ﷺ as long as you live."[3] [Reported by Ahmad, Abū Dā'ud, An-Nasā'i and Al-Hākim].

(١٢٢٦) وَعَنْ سَفِينَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنْتُ مَمْلُوكاً لِأُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، فَقَالَتْ: أُعْتِقُكَ، وَأَشْتَرِطُ عَلَيْكَ أَنْ تَخْدِمَ رَسُولَ اللهِ ﷺ مَا عِشْتَ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ وَالحَاكِمُ.

1227. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ said, "The right of inheritance from an emancipated slave (*Al-Walā*) belongs to the one who set him free."[4] [Agreed upon, in a long *Hadīth*].

(١٢٢٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِنَّمَا الوَلَاءُ لِمَنْ أَعْتَقَ». مُتَّفَقٌ عَلَيْهِ فِي حَدِيثٍ طَوِيلٍ.

1228. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "The right of inheritance from an emancipated slave (*Al-Walā*) is a relationship like the relationship of blood relatives; it should

(١٢٢٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الوَلَاءُ لُحْمَةٌ كَلُحْمَةِ النَّسَبِ، لَا يُبَاعُ وَلَا يُوهَبُ». رَوَاهُ الشَّافِعِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ، وَأَصْلُهُ

---

persons (i.e., the master and the slave) is hypothetically presumed to be a woman. In the light of such a presumption, it can be determined as to whether or not they could be bound in wedlock. If affirmative, the said ruling applies to them, as they are *Mahram* to each other.

[1] This *Hadīth* informs us that a charity made during one's sickness has the same ruling as bequeathing something by making a will. A sick person cannot donate more than one-third of his property as a gift or an endowment. The harsh words used by the Prophet ﷺ about the said person were: "Had I been informed about the unlawful act of that person beforehand, I would have disallowed his burial in the graveyard of the Muslims."

[2] Because two-thirds of a dead man's property must go to his heirs.

[3] This *Hadīth* denotes that while freeing a slave, it is permissible to make such a manumission a conditional one with his word of promise to the effect that the will keep serving his former master for the period of time agreed upon. What proves the permissibility of this practice is that the Prophet ﷺ upheld this condition and did not pronounce it null and void.

[4] This states that *Walā'* (the inheritance of a freed slave) belongs to the one who manumits the slave. It is improper either to sell it or present it to someone (as a gift).

not be sold, nor gifted." [Reported by Ash-Shāfi'i. Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic). It's basic meaning occurs in the *Sahihain* but with a different wording].

فِي الصَّحِيحَيْنِ بِغَيْرِ هٰذَا اللَّفْظِ.

Chapter 1 MATTERS PERTAINING TO *MUDABBAR*[1], *MUKATAB*[2] AND *UMMUL-WALAD*[3]

١ - بَابُ المدَبَّرِ وَالمُكَاتَبِ وَأُمِّ الوَلَدِ

1229. Narrated Jābir ﷺ: A man of the *Ansār* declared that his slave lad would be free after his death,[4] while he had no other property. So when the Prophet ﷺ heard of that he said, "Who will buy him from me?" And Nu'aim bin 'Abdullāh[5] bought him for eight hundred Dirhams. [Agreed upon]. A narration of Al-Bukhāri has: "The man became needy."

(١٢٢٩) عَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَجُلاً مِنَ الأَنْصَارِ أَعْتَقَ غُلَاماً لَهُ عَنْ دُبُرٍ، وَلَمْ يَكُنْ لَهُ مَالٌ غَيْرُهُ، فَبَلَغَ ذٰلِكَ النَّبِيَّ ﷺ، فَقَالَ: «مَنْ يَشْتَرِيهِ مِنِّي؟» فَاشْتَرَاهُ نُعَيْمُ بْنُ عَبْدِاللهِ بِثَمَانِمِائَةِ دِرْهَمٍ. مُتَّفَقٌ عَلَيْهِ. وَفِي لَفْظٍ لِلْبُخَارِيِّ: فَاحْتَاجَ.

A narration of An-Nasā'i has: "The man had a debt, so (the Prophet ﷺ) sold the slave for eight hundred Dirhams and gave him the money and said, "Pay off your debt."

وَفِي رِوَايَةٍ لِلنَّسَائِيِّ: وَكَانَ عَلَيْهِ دَيْنٌ فَبَاعَهُ بِثَمَانِمِائَةِ دِرْهَمٍ، فَأَعْطَاهُ، وَقَالَ: «اقْضِ دَيْنَكَ».

1230. 'Amr bin Shu'aib, on his father's authority, told that his grandfather narrated the Prophet ﷺ as saying: "A slave who entered into an agreement to buy his freedom is a slave as long as a

(١٢٣٠) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، عَنِ النَّبِيِّ ﷺ قَالَ: «المُكَاتَبُ عَبْدٌ، مَا بَقِيَ عَلَيْهِ مِنْ مُكَاتَبَتِهِ دِرْهَمٌ». أَخْرَجَهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ. وَأَصْلُهُ عِنْدَ أَحْمَدَ

[1] A slave told by his master, "You are free after my death."

[2] A slave who enters into an agreement with his master to buy his freedom.

[3] A slave-woman who bears her master's children.

[4] We learn through this *Hadīth* that a master can declare one of his male or female slaves as *Mudabbar*, provided that he is not in a state of sickness. The majority hold that it should be taken from the one-third (of his inheritance) allowed to be given to as he wills (*Al-Wasiyah*. Some scholars hold that it is not permissible to sell a *Mudabbar* except in case of need, or to pay the master's debt.

[5] He was nicknamed An-Nakhkhām and was a Qurashi of 'Adi clan. He became a Muslim long ago and kept his faith secret, and when he wanted to migrate Banu 'Adi, his clansmen requested him to stay and believe in any religion of his choice, because he used to spend on their widows and orphans, so he stayed. Then he migrated in the year of Al-Hudaibiya. He was martyred during the conquests of Shām in the lifetime of Abū Bakr As-Siddiq or 'Umar Al-Farūq رضي الله عنهما.

وَالثَّلاثَةِ، وَصَحَّحَهُ الحَاكِمُ.

Dirham of the agreed price remains to be paid."[1] [Abū Dā'ud reported it with a good chain of narrators. Its basic meaning occurs in the books of Ahmad and *Ath-Thalātha*. Al-Hākim graded it *Sahih* (authentic)].

(١٢٣١) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا كَانَ لإِحْدَاكُنَّ مُكَاتَبٌ، وَكَانَ عِنْدَهُ مَا يُؤَدِّي، فَلْتَحْتَجِبْ مِنْهُ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ وَصَحَّحَهُ التِّرْمِذِيُّ.

1231. Narrated Umm Salama ﵂: Allāh's Messenger ﷺ said, "When one of you women has a slave who has made an agreement to buy his freedom, and he accumulates enough to pay the full price, she must veil herself from him."[2] [Reported by Ahmad and *Al-Arba'a*, and At-Tirmidhi graded it *Sahih* (authentic)].

(١٢٣٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «يُودَى المُكَاتَبُ بِقَدْرِ مَا عَتَقَ مِنْهُ دِيَةَ الحُرِّ، وَبِقَدْرِ مَارَقَّ مِنْهُ دِيَةَ العَبْدِ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ.

1232. Narrated Ibn 'Abbās ﵄: The Prophet ﷺ said, "The blood money of a slave who had made an agreement to buy his freedom (*Mukātab*) [and has been killed], is paid at the rate of blood money paid for a free man – for that portion of his freedom that has been paid, and at the rate of blood money paid for a slave – for that portion of is freedom which has not been paid."[3] [Reported by Ahmad, Abū Dā'ud and An-Nasā'i].

[1] It implies that as long as a *Mukātab* does not make a full payment of his bond, he will continue to be governed by the same rulings as are applicable to a slave. This clarifies one more thing that a slave is considered the owner of his earnings. It does not mean that a slave does not become an owner of anything at all. *Mukātab* may be defined as a certain male or female slave who makes an agreement with his master to the effect that in case the master manumits him, he will pay him such and such amount in lieu of freedom. This kind of an agreement is known as *Mukātabah* and a slave who enters such an agreement is called *Mukātab*.

[2] A mistress, as a matter of *Shari'a* regulation, does not have to cover her face from her slave, as he is just like a child to her. But if a *Mukātab* accumulates a sufficient amount of money to emancipate himself from the bonded agreement, she should start veiling herself completely in front of him. This act is preferable since the above *Hadīth* states that as long as a *Mukātab* does not make a full payment of his bonded agreement, he will be considered a slave.

[3] Al-Khattabi said, "The general consensus of the *Fiqh* scholars is that a *Mukātab* is a slave as regards penalties and blood money, so long as he owed one Dirham. However, Ibrāhim An-Nakha'i and an opinion narrated from 'Ali have relied on the apparent meaning derived from this *Hadīth*.

1233. Narrated 'Amr bin Al-Hārith,[1] the brother of Juwairiya, the mother of the Believers ﷺ: When Allāh's Messenger ﷺ died, he did not leave a Dirham or a Dinār, a slave or a slave-woman, or anything except his white she-mule, his weapons and some land which he appointed as *Sadaqa*.[2] [Reported by Al-Bukhāri].

(١٢٣٣) وَعَنْ عَمْرِو بْنِ الحَارِثِ، أَخِي جُوَيْرِيَةَ أُمِّ المُؤْمِنِينَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: مَا تَرَكَ رَسُولُ اللهِ ﷺ عِنْدَ مَوْتِهِ دِرْهَماً، وَلَا دِينَاراً، وَلَا عَبْداً، وَلَا أَمَةً، وَلَا شَيْئاً، إِلَّا بَغْلَتَهُ البَيْضَاءَ، وَسِلَاحَهُ، وَأَرْضاً جَعَلَهَا صَدَقَةً. رَوَاهُ البُخَارِيُّ.

1234. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "When a man's slave-woman bears him a child she becomes free at his death." [Ibn Mājah and Al-Hākim reported it with a *Da'if* (weak) chain of narrators. A group of ***Hadīth*** scholars held that the stronger view is that it is ***Mawquf*** (a saying of a Companion) i.e. 'Umar ﷺ].

(١٢٣٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَيُّمَا أَمَةٍ وَلَدَتْ مِنْ سَيِّدِهَا فَهِيَ حُرَّةٌ بَعْدَ مَوْتِهِ». أَخْرَجَهُ ابْنُ مَاجَهْ وَالحَاكِمُ بِإِسْنَادٍ ضَعِيفٍ، وَرَجَّحَ جَمَاعَةٌ وَقْفَهُ عَلَىٰ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ.

1235. Narrated Sahl bin Hunaif ﷺ: Allāh's Messenger ﷺ said, "He who assists a ***Mujāhid*** in Allāh's Path, a debtor when he is in distress or a slave who had made an agreement to buy his freedom, Allāh will cover him (with His Shade) on the Day when there will be no shade but His shade." [Reported by Ahmad, and Al-Hākim graded it ***Sahih*** (authentic)].

(١٢٣٥) وَعَنْ سَهْلِ بْنِ حُنَيْفٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَنْ أَعَانَ مُجَاهِداً فِي سَبِيلِ اللهِ، أَوْ غَارِماً فِي عُسْرَتِهِ، أَوْ مُكَاتَباً فِي رَقَبَتِهِ، أَظَلَّهُ اللَّهُ يَوْمَ لَا ظِلَّ إِلَّا ظِلُّهُ». رَوَاهُ أَحْمَدُ وَصَحَّحَهُ الحَاكِمُ.

---

[1] He is Ibn Al-Hārith bin Abū Dirār bin Habib Al-Khuzā'i Al-Mustaliqi. He was a ***Sahābi*** and has only this ***Hadīth*** according to the ***Hadīth*** scholars.

[2] When the Prophet ﷺ passed away, Maria *Qibtiya*, the mother of the Prophet's son Ibrāhim was alive. She was a slave of the Prophet ﷺ. Since she had mothered a child, she became free after the death of the Prophet ﷺ. The sole purpose of mentioning this ***Hadīth*** here is that ***Ummul-Walad*** [i.e. a female slave who has given birth to the child of her master], becomes free after the death of her master.

16. THE COMPREHENSIVE BOOK

١٦ - كِتَابُ الجَامِعِ

Chapter 1 GOOD MANNERS

١ - بَابُ الأَدَبِ

1236. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "A Muslim has six duties[1] towards another Muslim: When you meet him, greet him (with peace); when he invites you, respond to him; when he asks your advice, advise him; when he sneezes and praises Allāh, say 'May Allāh have mercy on you'; when he is ill, visit him; and when he dies follow his funeral." [Reported by Muslim].

(١٢٣٦) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «حَقُّ المُسْلِمِ عَلَى المُسْلِمِ سِتٌّ، إِذَا لَقِيتَهُ فَسَلِّمْ عَلَيْهِ، وَإِذَا دَعَاكَ فَأَجِبْهُ، وَإِذَا اسْتَنْصَحَكَ فَانْصَحْهُ، وَإِذَا عَطَسَ فَحَمِدَاللَّهَ فَشَمِّتْهُ، وَإِذَا مَرِضَ فَعُدْهُ، وَإِذَا مَاتَ فَاتَّبِعْهُ». رَوَاهُ مُسْلِمٌ.

1237. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Look at those who are less fortunate than you[2] but don't look at those who are more fortunate than you, so that you will not underestimate the favors Allāh has bestowed upon you." [Agreed upon].

(١٢٣٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «انْظُرُوا إِلَى مَنْ هُوَ أَسْفَلَ مِنْكُمْ، وَلَا تَنْظُرُوا إِلَى مَنْ هُوَ فَوْقَكُمْ، فَهُوَ أَجْدَرُ أَنْ لَا تَزْدَرُوا نِعْمَةَ اللهِ عَلَيْكُمْ». مُتَّفَقٌ عَلَيْهِ.

1238. Narrated An-Nawwās bin Sam'ān[3] ﷺ: I asked Allāh's Messenger ﷺ about righteousness and sin and he replied, "Righteousness is good character[4] and sin[5] is that which

(١٢٣٨) وَعَنِ النَّوَّاسِ بْنِ سَمْعَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَأَلْتُ رَسُولَ اللهِ ﷺ عَنِ البِرِّ وَالإِثْمِ، فَقَالَ: «البِرُّ حُسْنُ الخُلُقِ، وَالإِثْمُ مَا

[1] We learn through this *Hadīth* that the carrying out of these obligations is compulsory (*Wājib*). Some scholars have regarded them as a commendable act (*Mandub*) which should not be abandoned.

[2] This *Hadīth* is an encouragement to always compare one's financial condition with that of someone less fortunate, as such a thing generates the feeling of God-consciousness within one's heart. Constantly reflecting upon the people who are financially better off than oneself only helps to enhance one's greed, which in turn leads to a feeling of dissatisfaction and jealousy.

[3] An-Nawwās bin Sam'ān bin Khālid Al-Kilābi Al-'Aamiri was a *Sahābi* counted among the people of Shām. It was said that his father visited the Prophet ﷺ who prayed for him. He then gave the Prophet ﷺ a pair of sandals that he accepted.

[4] Good character includes obedience to Allah, charity, treating people with affection, being patient when one is wronged, good companionship, keeping ties of relations etc.

[5] The sins are of two kinds. The first are the ones about which there are clear prohibitions

revolves (being doubtful) in your heart, and you dislike that people come to know about it." [Muslim reported it].

حَاكَ فِي صَدْرِكَ، وَكَرِهْتَ أَنْ يَطَّلِعَ عَلَيْهِ النَّاسُ». أَخْرَجَهُ مُسْلِمٌ.

1239. Narrated Ibn Mas'ūd ﷺ : Allāh's Messenger ﷺ said, "When three of you are together, two must not talk privately ignoring the other,[1] till you mix with other people, since that will cause him grief." [Agreed upon, and the wording is Muslim's].

(١٢٣٩) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا كُنْتُمْ ثَلَاثَةً فَلَا يَتَنَاجَ اثْنَانِ دُونَ الآخَرِ، حَتَّى تَخْتَلِطُوا بِالنَّاسِ، مِنْ أَجْلِ أَنَّ ذَلِكَ يُحْزِنُهُ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

1240. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "A man must not make another get up from his place and then occupy it himself,[2] but you should spread out and make room." [Agreed upon].

(١٢٤٠) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يُقِيمُ الرَّجُلُ الرَّجُلَ مِنْ مَجْلِسِهِ ثُمَّ يَجْلِسُ فِيهِ، وَلَكِنْ تَفَسَّحُوا وَتَوَسَّعُوا». مُتَّفَقٌ عَلَيْهِ.

1241. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "When one of you eats, he must not wipe his hand till he licks it, or give it to someone to lick."[3] [Agreed upon].

(١٢٤١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا أَكَلَ أَحَدُكُمْ طَعَاماً فَلَا يَمْسَحْ يَدَهُ حَتَّى يَلْعَقَهَا أَوْ يُلْعِقَهَا». مُتَّفَقٌ عَلَيْهِ.

1242. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "The young should greet (with peace) the old, the one who is passing by should greet the one who is sitting,[4] and the small group (i.e. in number) should salute the larger one."

(١٢٤٢) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لِيُسَلِّمِ الصَّغِيرُ عَلَى الكَبِيرِ، وَالمَارُّ عَلَى القَاعِدِ، وَالقَلِيلُ عَلَى الكَثِيرِ». مُتَّفَقٌ عَلَيْهِ. وفي رواية لمسلم:

in *Shari'a*. It is an obligation upon all to avoid them. Other ones are those whose prohibition is not to be found apparently but their commission is reproached and condemned by the human nature and thus one feels uneasy about them. Therefore, it is better to avoid them.

[1] The respect of human sentiments is proven and enjoined upon by this *Hadīth*. One should never do a thing that hurts the feelings of others.

[2] This *Hadīth* states that if a person happens to occupy a space in a Masjid, or any other place (which is not owned by anyone), the space thus occupied belongs to him alone (i.e., no one has a right to remove him from it).

[3] The reason for this act is explained by the Prophet's ﷺ saying, "You don't know in what portion of your meal is the *Barakah* (blessings)." This *Hadīth* further clarifies that it is not obligatory to wash one's hands after having a meal. It is sufficient if one cleans them by using a towel or a napkin.

[4] Another *Hadīth* states that a rider must greet a pedestrian and a passer-by must greet the standing person. If two persons are walking, either of them may commence greeting.

[Agreed upon]. A narration by Muslim has: "And the one who is riding should greet the one who is walking."

والراكب على الماشي.

1243. Narrated 'Ali ﷺ: Allāh's Messenger ﷺ said, "When people are passing by, it is enough if one of them offers the greeting (of peace) on their behalf, and it is enough for those who are sitting if one of them replies."[1] [Reported by Ahmad and Al-Baihaqi].

(١٢٤٣) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «يُجْزِىءُ عَنِ الجَمَاعَةِ - إِذَا مَرُّوا - أَنْ يُسَلِّمَ أَحَدُهُمْ، وَيُجْزِىءُ عَنِ الجَمَاعَةِ أَنْ يَرُدَّ أَحَدُهُمْ». رَوَاهُ أَحْمَدُ وَالبَيْهَقِيُّ.

1244. Narrated Abu Huraira ﷺ: Allāh's Messenger ﷺ said, "Do not initiate greeting Jews and Christians (with peace) [before they greet you],[2] and when you meet one of them on the road force him to go to its narrowest side."[3] [Muslim reported it].

(١٢٤٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَبْدَءُوا اليَهُودَ وَالنَّصَارَى بِالسَّلَامِ، وَإِذَا لَقِيتُمُوهُمْ فِي طَرِيقٍ فَاضْطَرُّوهُمْ إِلَى أَضْيَقِهِ». أَخْرَجَهُ مُسْلِمٌ.

1245. Narrated (Abu Huraira) ﷺ: The Prophet ﷺ said, "When one of you sneezes, he should say, '*Alhamdu Lillāh* (Praise is to Allāh)',[4] and his brother should say to him, '*Yarhamukallāh* (May Allāh have mercy on you)'. When he says this he should reply, '*Yahdīkumullāh wa Yuslihu Bālakum* (May Allāh guide you and give you well being.)' " [Al-Bukhāri reported it].

(١٢٤٥) وَعَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «إِذَا عَطَسَ أَحَدُكُمْ فَلْيَقُلْ: الحَمْدُ لِلَّهِ، وَلْيَقُلْ لَهُ أَخُوهُ: يَرْحَمُكَ اللَّهُ، فَإِذَا قَالَ لَهُ: يَرْحَمُكَ اللَّهُ، فَلْيَقُلْ لَهُ: يَهْدِيكُمُ اللَّهُ وَيُصْلِحُ بَالَكُمْ». أَخْرَجَهُ البُخَارِيُّ.

1246. Narrated (Abu Huraira) ﷺ: Allāh's Messenger ﷺ said, "None of you

(١٢٤٦) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَشْرَبَنَّ أَحَدُكُمْ قَائِماً». أَخْرَجَهُ مُسْلِمٌ.

However, he is better who greets first. The scholars agree that this is only a matter of preference and is not a compulsory ruling.

[1] The commencement of *Salām* (greetings) is a collective duty and similarly answering a *Salām* is also a collective obligation. If one person among a group pronounces *Salām*, the obligation will be met and completed on behalf of all.

[2] The majority of the earlier scholars are of the opinion that one should not commence greeting a non-Muslim first. If he greets, then his greeting should be answered. But some scholars have allowed that the non-Muslims may be greeted first in case such a thing becomes unavoidable out of necessity.

[3] Forcing them to pass through a narrow path implies that they should not be shown the respect of clearing the way for them. If it is too crowded, one should let a Muslim pass first and then only a non-Muslim may be allowed to pass.

[4] One is required to answer until the third sneeze. If someone still keeps sneezing more than three times (in a quick succession), his sneezing needs not be answered.

should drink standing."[1] [Muslim reported it].

1247. Narrated (Abu Huraira) ؓ: Allāh's Messenger ﷺ said, "When one of you puts on shoes, he should put on the right one first; and when he takes them off, he should take off the left one first, so that the right (shoe) should be the first to be put on and the last to be taken off."[2] [Agreed upon].

(١٢٤٧) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا انْتَعَلَ أَحَدُكُمْ فَلْيَبْدَأْ بِاليَمِينِ، وَإِذَا نَزَعَ فَلْيَبْدَأْ بِالشِّمَالِ، وَلْتَكُنِ اليُمْنَى أَوَّلَهُمَا تُنْعَلُ، وَآخِرَهُمَا تُنْزَعُ». مُتَّفَقٌ عَلَيْهِ وَأَخْرَجَ بَاقِيَهُ مَالِكٌ وَالتِّرمِذِيُّ وَأَبُو دَاوُدَ.

1248. Narrated (Abu Huraira) ؓ: Allāh's Messenger ﷺ said, "None of you should walk with one shoe. One must either wear both (shoes) or remove both."[3] [Agreed upon].

(١٢٤٨) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَمْشِ أَحَدُكُمْ فِي نَعْلٍ وَاحِدَةٍ، وَلْيُنْعِلْهُمَا جَمِيعاً، أَوْ لِيَخْلَعْهُمَا جَمِيعاً». مُتَّفَقٌ عَلَيْهِ.

1249. Narrated Ibn 'Umar ؓ: Allāh's Messenger ﷺ said, "Allāh will not look (on the Day of Resurrection) at him who trails his garment out of arrogance (or pride)."[4] [Agreed upon].

(١٢٤٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَنْظُرُ اللَّهُ إِلَى مَنْ جَرَّ ثَوْبَهُ خُيَلَاءَ». مُتَّفَقٌ عَلَيْهِ.

1250. Narrated (Ibn 'Umar) ؓ: Allāh's Messenger ﷺ said, "When any of you eats he should eat with his right hand, and when he drinks he should drink with his right hand, for the devil eats and drinks with his left hand."[5] [Muslim reported it].

(١٢٥٠) وَعَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِذَا أَكَلَ أَحَدُكُمْ فَلْيَأْكُلْ بِيَمِينِهِ، وَإِذَا شَرِبَ فَلْيَشْرَبْ بِيَمِينِهِ، فَإِنَّ الشَّيْطَانَ يَأْكُلُ بِشِمَالِهِ، وَيَشْرَبُ بِشِمَالِهِ». أَخْرَجَهُ مُسْلِمٌ.

[1] Drinking water while standing does not fall under the category of an absolute prohibition, but the same is regarded as a suggestive prohibition, unless one has a legal excuse.

[2] As a matter of principle, every honorable act should be started from the right side, whereas other things should be started from the left side. For instance, putting one's shoes on, combing one's hair and performing ablution should be started from the right side, whereas taking one's shoes off, and cleansing and purifying one's private parts should be from the left.

[3] This is also a suggestive prohibition and not an absolute one, according to the Majority of scholars.

[4] A person whose clothing (trousers, etc.) hangs below his ankles due to forgetfulness, or the one whose belly is so huge that he cannot keep his clothing from falling, are however exceptions. Even though the punishment – in this narration – is conditioned with pride, there is a general prohibition – even without exhibiting any air of pride – from allowing the clothing to hang below the ankles, according to other authentic narrations. This ruling concerns men only, as women are instructed to deliberately lengthen their dress to the extent of at least one hand span, so as to cover the surface of their feet.

[5] This *Hadīth* states that the use of ones left hand for the purpose of eating and drinking is forbidden.

1251. Narrated 'Amr bin Shu'aib, on his father's authority, that his grandfather narrated Allāh's Messenger ﷺ as saying, "Eat, drink, wear clothes and give *Sadaqa* without extravagance or pride."[1] [Abū Dā'ud and Ahmad reported it. Al-Bukhāri mentioned it as *Mu'allaq* (a broken chain from the side of the *Hadith* collector)].

(١٢٥١) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «كُلْ، وَاشْرَبْ، وَالْبَسْ، وَتَصَدَّقْ، فِي غَيْرِ سَرَفٍ وَلَا مَخِيلَةٍ». أَخْرَجَهُ أَبُو دَاوُدَ وَأَحْمَدُ، وَعَلَّقَهُ الْبُخَارِيُّ.

Chapter 2
KINDNESS, AND JOINING THE TIES OF RELATIONSHIP

٢ - بَابُ الْبِرِّ وَالصِّلَةِ

1252. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "He who wishes to have his provisions expanded and his term of life prolonged, must treat his relatives well."[2] [Reported by Al-Bukhāri].

(١٢٥٢) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ أَحَبَّ أَنْ يُبْسَطَ لَهُ فِي رِزْقِهِ، وَأَنْ يُنْسَأَ لَهُ فِي أَثَرِهِ، فَلْيَصِلْ رَحِمَهُ». أَخْرَجَهُ الْبُخَارِيُّ.

1253. Narrated Jubair bin Mut'im ﷺ: Allāh's Messenger ﷺ said, "The one who severs ties, i.e. of blood relations, will not enter Paradise."[3] [Agreed upon].

(١٢٥٣) وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَدْخُلُ الْجَنَّةَ قَاطِعٌ» يَعْنِي قَاطِعَ رَحِمٍ. مُتَّفَقٌ عَلَيْهِ.

1254. Narrated Al-Mughira bin Shu'ba ﷺ : Allāh's Messenger ﷺ said, "Allāh has made unlawful for you disobedience to your mothers, burying your daughters alive, holding back

(١٢٥٤) وَعَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِنَّ اللَّهَ حَرَّمَ عَلَيْكُمْ عُقُوقَ الْأُمَّهَاتِ، وَوَأْدَ الْبَنَاتِ،

[1] This *Hadīth* is an elaboration of a Qur'ānic Verse which says, "Eat and drink but do not spend excessively". This *Hadīth* implies that as long as an excessive spending is prohibited in the permitted matters, how could such a thing be justified in the matters which are forbidden altogether? In Arabic, the word *Isrāf* stands for overspending.

[2] The question which arises here is that as long as the time of death is predetermined, how does it happen that an act of kindness to one's relatives causes an increase in the life span of a person. The answer to this question is that the life span of a certain person which is in the Knowledge of Allāh, remains constant without a change, but the one which lies within the knowledge of the Angel responsible for life span may diminish and increase accordingly. In other words, the Angel is given the knowledge of a suspended destiny and not the final and absolute one. For instance, he is told that if a certain person treats his relatives well, he will have a life span of a hundred years, otherwise the same will be reduced to sixty.

[3] This is a severe threat for the one who cuts the ties of blood relations. The Arabic word *Rahim* includes those relations with whom a matrimonial alliance is not permissible, or those between whom there is the right of inheritance.

(what Allah has ordered), and demanding (what you are not entitled to), and He hates for you engaging in gossip, asking many questions (about what is not necessary), and squandering wealth" [Agreed upon].

وَمَنْعاً وَهَاتِ، وَكَرِه لَكُمْ قِيلَ وَقَالَ، وَكَثْرَةَ السُّؤَالِ، وَإِضَاعَةَ المَالِ». مُتَّفَقٌ عَلَيْهِ.

1255. Narrated 'Abdullāh bin 'Amr ﷺ: The Prophet ﷺ said, "Allāh's Pleasure is in what is pleasing to parents, and Allāh's Displeasure is in what is displeasing to parents."[1] [At-Tirmidhi reported it. Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

(١٢٥٥) وَعَنْ عَبْدِاللهِ بْنِ عَمْرٍو رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «رِضَا اللهِ فِي رِضَا الوَالِدَيْنِ، وَسَخَطُ اللهِ فِي سَخَطِ الوَالِدَيْنِ» أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

1256. Narrated Anas ﷺ: The Prophet ﷺ said, "By Him in Whose Hand is my soul, a slave (of Allāh) does not believe (perfectly) till he loves for his neighbor or his brother what he loves for himself."[2] [Agreed upon].

(١٢٥٦) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «والَّذِي نَفْسِي بِيَدِهِ لَا يُؤْمِنُ عَبْدٌ حَتَّى يُحِبَّ لِجَارِهِ أَوْ لِأَخِيهِ مَا يُحِبُّ لِنَفْسِهِ». مُتَّفَقٌ عَلَيْهِ.

1257. Narrated Ibn Mas'ūd ﷺ: I asked Allāh's Messenger ﷺ, "Which sin is most serious?" He said, "To attribute a partner to Allāh, though He (Alone) has created you." I asked, "What next?" He replied, "To kill your child, fearing that it will share with you your food." I asked, "What next?" He said, "To commit adultery with your neighbor's wife."[3] [Agreed upon].

(١٢٥٧) وَعنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَأَلْتُ رَسُولَ اللهِ ﷺ أَيُّ الذَّنْبِ أَعْظَمُ؟ قَالَ: «أَنْ تَجْعَلَ للهِ نِدًّا، وَهُوَ خَلَقَكَ»، قُلْتُ: ثُمَّ أَيٌّ؟ قَالَ: «ثُمَّ أَنْ تَقْتُلَ وَلَدَكَ خَشْيَةَ أَنْ يَأْكُلَ مَعَكَ». قُلْتُ: ثُمَّ أَيٌّ؟ قَالَ: ثُمَّ أَنْ تُزَانِيَ بِحَلِيلَةِ جَارِكَ. مُتَّفَقٌ عَلَيْهِ.

1258. Narrated 'Abdullāh bin 'Amr bin Al-'Aas ﷺ: Allāh's Messenger ﷺ said, "A man's reviling of his parents is one of the major sins." It was asked, "Does a man revile his parents?" He replied, "Yes, he reviles the father of a man who then reviles his father, and he reviles a

(١٢٥٨) وَعَنْ عَبْدِ اللهِ بْنِ عَمْرِو بْنِ العَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مِنَ الكَبَائِرِ شَتْمُ الرَّجُلِ وَالِدَيْهِ»، قِيلَ: وَهَلْ يَسُبُّ الرَّجُلُ وَالِدَيْهِ؟ قَالَ: «نَعَمْ يَسُبُّ أَبَا الرَّجُلِ فَيَسُبُّ أَبَاهُ، وَيَسُبُّ أُمَّهُ فَيَسُبُّ أُمَّهُ».

[1] Disobedience of one's parents is considered to be a major sin, as long as they have not ordered you to do something contrary to the injunction of the *Shari'a*.

[2] This *Hadīth* indicates that one has a tremendous obligation towards his neighbor (and brother) since the same has been declared as the sign of Faith.

[3] This *Hadīth* alludes to a principle that the major sins, depending on their severity, differ from each other. A sinful act of adultery is forbidden in general, but committing such an act with a neighbor's wife is the most despicable crime.

مُتَّفَقٌ عَلَيْهِ.

man's mother who then reviles his."[1] [Agreed upon].

(١٢٥٩) وَعَنْ أَبِي أَيُّوبَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا يَحِلُّ لِمُسْلِمٍ أَنْ يَهْجُرَ أَخَاهُ فَوْقَ ثَلَاثِ لَيَالٍ. يَلْتَقِيَانِ فَيُعْرِضُ هَذَا وَيُعْرِضُ هَذَا، وَخَيْرُهُمَا الَّذِي يَبْدَأُ بِالسَّلَامِ». مُتَّفَقٌ عَلَيْهِ.

1259. Narrated Abū Ayūb ﷺ: Allāh's Messenger ﷺ said, "It is not permissible for a Muslim to avoid his brother for more than three nights.[2] When they meet, this one turns away (from this one) and that one turns away (from the other), and the best of them is the one who greets (the other one) first." [Agreed upon].

(١٢٦٠) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «كُلُّ مَعْرُوفٍ صَدَقَةٌ». أَخْرَجَهُ الْبُخَارِيُّ.

1260. Narrated Jābir ﷺ: Allāh's Messenger ﷺ said, "Every act of goodness is *Sadaqa*."[3] [Al-Bukhāri reported it].

(١٢٦١) وَعَنْ أَبِي ذَرٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَحْقِرَنَّ مِنَ الْمَعْرُوفِ شَيْئاً، وَلَوْ أَنْ تَلْقَى أَخَاكَ بِوَجْهٍ طَلْقٍ».

1261. Narrated Abū Dharr ﷺ: Allāh's Messenger ﷺ said, "Do not consider any act of goodness insignificant,[4] even if it is meeting your brother with a cheerful face."

(١٢٦٢) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا طَبَخْتَ مَرَقَةً فَأَكْثِرْ مَاءَهَا، وَتَعَاهَدْ جِيرَانَكَ». أَخْرَجَهُمَا مُسْلِمٌ.

1262. Narrated (Abū Dharr) ﷺ: Allāh's Messenger ﷺ said, "When you make some soup, increase its water and keep your neighbors in mind."[5] [Muslim reported the two *Hadīth*].

(١٢٦٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ

1263. Narrated Abū Huraira ﷺ: Allāh's

[1] The principle which is inferred from this *Hadīth* is that any action which leads to the forbidden is also forbidden, even if the one who does such an action has not intended anything forbidden.

[2] If the reasons of such an ill will are personal matters, it is not permitted that an estrangement thus caused be continued longer than three days. But if the same is based on a religious matter, there is no limit specified to such an estrangement, as the same is a part of Faith itself.

[3] This states that *Sadaqa* (charity) does not mean giving away something out of one's wealth alone. In fact, the performing of any good deed, or refraining from any evil deed, is an act of charity.

[4] Cheerfulness, as it appears, seems to be a very small thing but the same is rated and classified as a great virtue.

[5] This ruling is to be treated as compulsory if the neighbor is poor. But if one's neighbor is rich, then this ruling is to be treated as a matter of preference. The Prophet ﷺ stated, "Whenever Gabriel came to me, he persistently kept emphasizing on the rights of one's neighbor – to such an extent that it led me into thinking perhaps a neighbor may be declared as the inheritor of one's legacy."

Messenger ﷺ said, "If anyone removes one of the anxieties of this world from a believer,[1] Allāh will remove one of the anxieties of the Day of Resurrection from him; if anyone relieves (the burden) of one who is destitute, Allāh will relieve (his burden) in this world and in the next; and if anyone conceals (the faults of) a Muslim, Allāh will conceal (his faults) in this world and in the next. Allāh helps (His) servant as long as the servant helps his brother." [Muslim reported it].

قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ نَفَّسَ عَنْ مُسْلِمٍ كُرْبَةً مِنْ كُرَبِ الدُّنْيَا، نَفَّسَ اللَّهُ عَنْهُ كُرْبَةً مِنْ كُرَبِ يَوْمِ القِيَامَةِ، وَمَنْ يَسَّرَ عَلَى مُعْسِرٍ، يَسَّرَ اللَّهُ عَلَيْهِ فِي الدُّنْيَا وَالآخِرَةِ. وَمَنْ سَتَرَ مُسْلِماً، سَتَرَهُ اللَّهُ فِي الدُّنْيَا وَالآخِرَةِ، وَاللَّهُ فِي عَوْنِ العَبْدِ مَا كَانَ العَبْدُ فِي عَوْنِ أَخِيهِ». أَخْرَجَهُ مُسْلِمٌ.

1264. Narrated Ibn Mas'ūd ﷺ: Allāh's Messenger ﷺ said, "He who guides to something good will have a reward similar to that of the one who acts upon it." [Muslim reported it].

(١٢٦٤) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ دَلَّ عَلَى خَيْرٍ فَلَهُ مِثْلُ أَجْرِ فَاعِلِهِ». أَخْرَجَهُ مُسْلِمٌ.

1265. Narrated Ibn 'Umar ﷺ: The Prophet ﷺ said, "If anyone seeks protection in Allāh's Name, grant him protection; if anyone asks you (for something) in Allāh's Name, give him; and if anyone does a good deed for you, recompense him; but if you do not have the means to do so, supplicate for him." [Al-Baihaqi reported it].

(١٢٦٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنِ اسْتَعَاذَكُمْ بِاللهِ فَأَعِيذُوهُ، وَمَنْ سَأَلَكُمْ بِاللهِ فَأَعْطُوهُ، وَمَنْ أَتَى إِلَيْكُمْ مَعْرُوفاً فَكَافِئُوهُ، فَإِنْ لَمْ تَجِدُوا فَادْعُوا لَهُ». أَخْرَجَهُ البَيْهَقِيُّ.

Chapter 3 ASCETISM AND PIETY[2]

٣ - بَابُ الزُّهْدِ وَالوَرَعِ

1266. An-Nu'mān bin Bashir ﷺ: I heard Allāh's Messenger ﷺ saying – Nu'mān pointed with his two fingers to his ears – "What is lawful is clear and what is unlawful is clear, but between them are certain doubtful matters[3] which many people do not know. Thus, he who

(١٢٦٦) وَعَنِ النُّعْمَانِ بْنِ بَشِيرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ - وَأَهْوَى النُّعْمَانُ بِإِصْبَعَيْهِ إِلَى أُذُنَيْهِ -: «إِنَّ الحَلَالَ بَيِّنٌ، وَإِنَّ الحَرَامَ بَيِّنٌ، وَبَيْنَهُمَا مُشْتَبِهَاتٌ، لَا يَعْلَمُهُنَّ كَثِيرٌ مِنَ النَّاسِ، فَمَنِ

[1] This *Hadīth* proves the superiority of help provided for other Muslims.

[2] The Arabic word translated here as piety is *Wara'*, which means to keep oneself aloof from doubtful matters lest one should indulge in forbidden things unknowingly.

[3] This *Hadīth* pertains to the principles of Islam. *Mushtabihāt* are the things and matters whose arguments whether for them or against them seem to be equal. Hence, the religious scholars differ about their prohibition or allowance. The corruption or reformation of one's body is based on the corruption or reformation of one's heart. The reason for this phenomenon is that the heart governs the whole body. If a king happens to be morally

guards against doubtful matters keeps his religion and his honor safe, but he who falls into doubtful matters falls into what is unlawful, just as a shepherd who pastures his animals around a sanctuary, all but grazing therein. Surely, every king has a sanctuary, and Allāh's sanctuary is His prohibitions. Surely, there is a piece of flesh in the body, if it is healthy, the whole body is healthy, but if it is diseased, the whole body will be diseased. Surely, it is the heart." [Agreed upon].

اتَّقَى الشُّبُهَاتِ فَقَدِ اسْتَبْرَأَ لِدِينِهِ وَعِرْضِهِ، وَمَنْ وَقَعَ فِي الشُّبُهَاتِ وَقَعَ فِي الحَرَامِ. كَالرَّاعِي يَرْعَى حَوْلَ الحِمَى يُوشِكُ أَنْ يَقَعَ فِيهِ. أَلَا! وَإِنَّ لِكُلِّ مَلِكٍ حِمىً، أَلَا! وَإِنَّ حِمَى اللهِ مَحَارِمُهُ. أَلَا! وَإِنَّ فِي الجَسَدِ مُضْغَةً إِذَا صَلَحَتْ صَلَحَ الجَسَدُ كُلُّهُ، وَإِذَا فَسَدَتْ فَسَدَ الجَسَدُ كُلُّهُ، أَلَا! وَهِيَ القَلْبُ». مُتَّفَقٌ عَلَيْهِ.

1267. Narrated Abū Huraira ﵁: Allāh's Messenger ﷺ said, "Wretched is the slave of the Dinār, the Dirham, and the plush cloth. If such a one is given (anything of the worldly pleasures) he is pleased (with Allah), but if he is not given (these thing), he is displeased (with Allah)."[1] [Al-Bukhāri reported it].

(١٢٦٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «تَعِسَ عَبْدُ الدِّينَارِ وَالدِّرْهَمِ وَالقَطِيفَةِ، إِنْ أُعْطِيَ رَضِيَ، وَإِنْ لَمْ يُعْطَ لَمْ يَرْضَ». أَخْرَجَهُ البُخَارِيُّ.

1268. Narrated Ibn 'Umar ﵄: Allāh's Messenger ﷺ caught hold of my shoulders and said, "Be in the world as though you were a stranger or a wayfarer."[2] Ibn 'Umar (﵄) used to say, "If you are alive in the evening, do not expect to be alive till the morning and if you are alive in the morning do not expect to be alive till the evening, and take from your health for your sickness, and from your life for your death." [Al-Bukhāri reported it].

(١٢٦٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أَخَذَ رَسُولُ اللهِ ﷺ بِمَنْكِبَيَّ، فَقَالَ: «كُنْ فِي الدُّنْيَا كَأَنَّكَ غَرِيبٌ أَوْ عَابِرُ سَبِيلٍ»، وَكَانَ ابْنُ عُمَرَ يَقُولُ: إِذَا أَمْسَيْتَ فَلَا تَنْتَظِرِ الصَّبَاحَ، وَإِذَا أَصْبَحْتَ فَلَا تَنْتَظِرِ المَسَاءَ، وَخُذْ مِنْ صِحَّتِكَ لِسَقَمِكَ، وَمِنْ حَيَاتِكَ لِمَوْتِكَ. أَخْرَجَهُ البُخَارِيُّ.

1269. Narrated Ibn 'Umar ﵄: Allāh's Messenger ﷺ said, "He who imitates

(١٢٦٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى

---

warped, his subjects are likely to be corrupt also. Similarly, if a king is pious, his subjects are likely to be pious also.

[1] This refers to a greedy person. If he continues to enjoy the worldly pleasures, he will continue to be pleased and contended with Allāh. However, if he does not receive these things, he will not only be displeased with Allāh, but will also become dissatisfied with himself, subjecting himself to constant misery.

[2] This means that one should not be inclined towards the worldly enticements, but instead should be content on acquiring what suffices his needs.

any people is one of them." [Abū Dā'ud reported it, and Ibn Hibbān graded it *Sahih* (authentic)].

عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ، «مَنْ تَشَبَّهَ بِقَوْمٍ فَهُوَ مِنْهُمْ». أَخْرَجَهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1270. Narrated Ibn 'Abbās ﷺ: One day I was riding behind the Prophet ﷺ when he said, "Young man, be mindful of Allāh and He will protect you. Be mindful of Allāh[1] and you will find Him before you, when you ask (for anything) ask it from Allāh, and if you seek help, seek help in Allāh." [Reported by At-Tirmidhi, who verified it as *Hasan* (good) and *Sahih* (authentic)].

(١٢٧٠) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كُنْتُ خَلْفَ النَّبِيِّ ﷺ يَوْماً فَقَالَ: «يَا غُلَامُ! احْفَظِ اللَّهَ يَحْفَظْكَ، احْفَظِ اللَّهَ تَجِدْهُ تُجَاهَكَ، وَإِذَا سَأَلْتَ فَاسْأَلِ اللَّهَ، وَإِذَا اسْتَعَنْتَ فَاسْتَعِنْ بِاللهِ». رَوَاهُ التِّرْمِذِيُّ، وَقَالَ: حَسَنٌ صَحِيحٌ.

1271. Narrated Sahl bin Sa'd ﷺ: A man came to the Prophet ﷺ and said, "O Allāh's Messenger, direct me to a deed which, if I do it, I shall be loved by Allāh and by the people." He replied, "Practice *Zuhd* (abstinence) in the world and Allāh will love you,[2] and abstain from people's possessions and they will love you." [Ibn Mājah and others reported it, and it has a *Hasan* (good) chain of narrators].

(١٢٧١) وَعَنْ سَهْلِ بْنِ سَعْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: يَا رَسُولَ اللهِ! دُلَّنِي عَلَى عَمَلٍ إِذَا عَمِلْتُهُ أَحَبَّنِيَ اللَّهُ، وَأَحَبَّنِيَ النَّاسُ. فَقَالَ: «ازْهَدْ فِي الدُّنْيَا، يُحِبَّكَ اللَّهُ، وَازْهَدْ فِيمَا عِنْدَ النَّاسِ، يُحِبُّكَ النَّاسُ». رَوَاهُ ابْنُ مَاجَهْ وَغَيْرُهُ، وَسَنَدُهُ حَسَنٌ.

1272. Narrated Sa'd bin Abū Waqqās ﷺ: I heard Allāh's Messenger ﷺ saying, "Allāh loves the servant who is *taqi* (pious), *ghani* (free of needs), *khafi* (unnoticed)."[3] [Muslim reported it].

(١٢٧٢) وَعَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «إِنَّ اللَّهَ يُحِبُّ العَبْدَ التَّقِيَّ الغَنِيَّ الخَفِيَّ». أَخْرَجَهُ مُسْلِمٌ.

[1] Being mindful (*Hifz*) of Allāh suggests that one should have full cognizance of and pay attention to both the Divine commands as well as the prohibitions. Being protected by Allāh (*Hifz*) means that Allāh will deliver his slave from the hardships of this world and the Hereafter. This *Hadīth* inculcates an absolute monotheism that is to be cherished and imbedded with perfection. The *Hadīth* thus goes that the world in its entirety, is neither capable of inflicting any harm on you, nor could it do you any good. Whatever Allāh wills and commands, shall be.

[2] The right and the most appropriate course of action for one to become a beloved of Allāh is that he should be totally independent from the world, to put one's trust in what is with Allah, and avoid any desires for what is with the people.

[3] When Allāh loves His servant He wills for him that which is good, guides him to the right path and is merciful to him. *Taqi* (pious) is the one who carries out the commands of Allah and avoids His prohibitions. *Ghani* (rich) is the one who is rich at heart and thankful to Allah

1273. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Part of a man's good observance of Islam is that he leaves the matters that do not concern him"[1] [Reported by At-Tirmidhi, who said it is *Hasan* (good)].

(١٢٧٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مِنْ حُسْنِ إِسْلَامِ الْمَرْءِ تَرْكُهُ مَا لَا يَعْنِيهِ». رَوَاهُ التِّرْمِذِيُّ، وَقَالَ: حَسَنٌ.

1274. Narrated Al-Miqdām bin Ma'dikarib ﷺ: Allāh's Messenger ﷺ said, "A human being has not filled any vessel, which is more evil to be filled, than his stomach."[2] [At-Tirmidhi reported it and graded it *Hasan* (good)].

(١٢٧٤) وَعَنِ الْمِقْدَامِ بْنِ مَعْدِيكَرِبَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَا مَلأَ ابْنُ آدَمَ وِعَاءً شَرًّا مِنْ بَطْنٍ». أَخْرَجَهُ التِّرْمِذِيُّ، وَحَسَّنَهُ.

1275. Narrated Anas ﷺ: Allāh's Messenger ﷺ said, "All the sons of Adam are sinners, but the best of sinners are those who repent often."[3] [At-Tirmidhi and Ibn Mājah reported it, and it has a *Qawi* (strong) chain of narrators].

(١٢٧٥) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «كُلُّ بَنِي آدَمَ خَطَّاءٌ، وَخَيْرُ الْخَطَّائِينَ التَّوَّابُونَ». أَخْرَجَهُ التِّرْمِذِيُّ وَابْنُ مَاجَهْ، وَسَنَدُهُ قَوِيٌّ.

1276. Narrated Anas ﷺ: Allāh's Messenger ﷺ said, "Silence is Wisdom,[4] and few are those who practice it." [Al-Baihaqi reported it in *Ash-Shu'ab* with a *Da'if* (weak) chain of narrators, and the correct view is that it is *Mawquf* i.e. a saying of Luqmān Al-Hakīm].

(١٢٧٦) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الصَّمْتُ حِكْمَةٌ، وَقَلِيلٌ فَاعِلُهُ». أَخْرَجَهُ الْبَيْهَقِيُّ فِي الشُّعَبِ بِسَنَدٍ ضَعِيفٍ. وَصَحَّحَ أَنَّهُ مَوْقُوفٌ مِنْ قَوْلِ لُقْمَانَ الْحَكِيمِ.

---

for what He has given him. *Khafi* (unnoticed) implies a person who is free from hypocrisy and showing-off, while busying oneself with the worship of Allah.

[1] When a person has an absolute conviction that Allāh has a perfect knowledge of whatever I say and do, he is sure to withhold himself from any unnecessary action or speech.

[2] This *Hadīth* explains that going to extremes in one's requirements concerning food (i.e. developing extremely dainty and fastidious tastes regarding culinary delicacies) is very much despised. This is the cause of many religious and worldly vices.

[3] This *Hadīth* proves that all the human beings are sinful excluding the Messengers of Allāh عليهم السلام as they are an exception. Allāh does not become so much displeased with a man who commits a sin, as much as He becomes pleased with the one who asks for His forgiveness. It is reported by Abū Huraira رضي الله عنه in *Sahih Muslim* that if all of mankind stopped asking Allāh's forgiveness after committing sins, Allāh would destroy this world and replace the inhabitants with a people who will repent and ask Allāh's forgiveness after committing sinful acts.

[4] Many *Ahādith* have been reported comprising instructions in regard to abstinence from idle gossip-mongering. One *Hadīth* advises that a man should either say that which is good or remain silent.

Chapter 4
WARNING AGAINST EVIL CONDUCT

٤ - بَابُ التَّرْهِيبِ مِنْ مَسَاوِىءِ الأَخْلَاقِ

1277. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Avoid envy,[1] for envy devours the good deeds just as fire devours firewood." [Abū Dā'ud reported it]. Ibn Mājah reported something similar to the aforesaid *Hadīth* from the *Hadīth* of Anas (ﷺ).

(١٢٧٧) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِيَّاكُمْ وَالحَسَدَ، فَإِنَّ الحَسَدَ يَأْكُلُ الحَسَنَاتِ، كَمَا تَأْكُلُ النَّارُ الحَطَبَ». أَخْرَجَهُ أَبُو دَاوُدَ، وَلابْنِ مَاجَهْ مِنْ حَدِيثِ أَنَسٍ نحوه.

1278. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said, "The strong man is not the good wrestler; but the strong man is he who controls himself when he is angry."[2] [Agreed upon].

(١٢٧٨) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَيْسَ الشَّدِيدُ بِالصُّرَعَةِ، إِنَّمَا الشَّدِيدُ الَّذِي يَمْلِكُ نَفْسَهُ عِنْدَ الغَضَبِ». مُتَّفَقٌ عَلَيْهِ.

1279. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "*Az-Zulm* (Oppression)[3] will turn into darkness on the Day of Resurrection." [Agreed upon].

(١٢٧٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الظُّلْمُ ظُلُمَاتٌ يَوْمَ القِيَامَةِ». مُتَّفَقٌ عَلَيْهِ.

1280. Narrated Jābir ﷺ: Allāh's Messenger ﷺ said, "Beware of oppression, for oppression will turn into darkness on the Day of Resurrection; and beware of niggardliness, for niggardliness destroyed those who were before you." [Muslim reported it].

(١٢٨٠) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «اتَّقُوا الظُّلْمَ، فَإِنَّ الظُّلْمَ ظُلُمَاتٌ يَوْمَ القِيَامَةِ. وَاتَّقُوا الشُّحَّ فَإِنَّهُ أَهْلَكَ مَنْ كَانَ قَبْلَكُمْ». أَخْرَجَهُ مُسْلِمٌ.

[1] The Arabic word *Hasad* (envy, jealousy) refers to a person who is envious of another person's possessions and desires that that person be deprived of them and at the same time aspires for those advantages for himself. This is forbidden. If a man desires something for himself but does not want another person to be deprived of it, such a feeling is called *Ghibta*. This feeling is very much desirable in religious matters. A nursing of this kind of feeling in one's worldly affairs is forgiven. We learn through this *Hadīth* that jealousy is one of the major vices as it nullifies good deeds. We should bear in mind that these are none but the major vices that nullify and destroy one's good deeds.

[2] This proves the excellence of the spirit of forgiveness and pardoning to the extent that one should refrain from taking retaliatory action when provoked by anger, and thus should learn to control himself. Of those things that aid in controlling anger are: Seeking refuge in Allah from Satan, performing ablution or bath, and sitting or lying down.

[3] *Zulm* (oppression, injustice) means putting something in other than it proper place, or concealment of truth by hiding it so that the truth becomes invisible. On the Day of Judgement, it will appear to be in the form of darkness. This *Hadīth* informs us that oppression is forbidden whether it be on someone's life, honor or wealth.

1281. Narrated Mahmūd bin Labīd ﷺ: Allāh's Messenger ﷺ said, "The thing I fear most for you is the lesser *Shirk* (polytheism) – the showing-off[1] (of good deeds)." [Ahmad reported it with a *Hasan* (good) chain of narrators].

(١٢٨١) وَعَنْ مَحْمُودِ بْنِ لَبِيدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ أَخْوَفَ مَا أَخَافُ عَلَيْكُمُ الشِّرْكُ الأَصْغَرُ: الرِّيَاءُ». أَخْرَجَهُ أَحْمَدُ بِإِسْنَادٍ حَسَنٍ.

1282. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "There are three signs of a hypocrite;[2] when he speaks, he lies; when he makes a promise, he breaks it; and when he is trusted, he betrays his trust." [Agreed upon]. Al-Bukhāri and Muslim also reported the *Hadīth* of 'Abdullāh bin 'Amr ﷺ (with this addition): "and when he quarrels, he abuses (i.e. insults others)."

(١٢٨٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «آيَةُ المُنَافِقِ ثَلاثٌ، إِذَا حَدَّثَ كَذَبَ، وَإِذَا وَعَدَ أَخْلَفَ، وَإِذَا اؤْتُمِنَ خَانَ». مُتَّفَقٌ عَلَيْهِ. وَلَهُمَا مِنْ حَدِيثِ عَبْدِاللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا: «وَإِذَا خَاصَمَ فَجَرَ».

1283. Narrated Ibn Mas'ūd ﷺ: Allāh's Messenger ﷺ said, "Reviling a Muslim is disobedience (to Allāh), and fighting with him is *Kufr*[3] (infidelity)." [Agreed upon].

(١٢٨٣) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «سِبَابُ المُسْلِمِ فُسُوقٌ، وَقِتَالُهُ كُفْرٌ». مُتَّفَقٌ عَلَيْهِ.

1284. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Avoid suspicion,[4] for indeed suspicion is the worst of false speech." [Agreed upon].

(١٢٨٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِيَّاكُمْ وَالظَّنَّ، فَإِنَّ الظَّنَّ أَكْذَبُ الحَدِيثِ». مُتَّفَقٌ عَلَيْهِ.

[1] *Riya'* (showing-off) is when someone fulfill any of the commands of Allah or abstains from what Allah has prohibited, but he does the same to please someone other than Allāh, or for the purpose of acquiring some worldly benefit. This showing-off is of two kinds. The first one is that some one performs a good deed, displaying it in front of the people. The second one is that if someone has done a good deed which the people do not know about, he should himself proclaim it and make it known to the public. This kind of showing-off is called *Sum'a* and the former one *Riya'*. Both of these are forbidden.

[2] Hypocrisy is of two kinds: hypocrisy in action and hypocrisy in faith. Hypocrisy in action has already been mentioned in this *Hadīth*. The hypocrisy in faith is when someone conceals disbelief in his heart but outwardly pretends to be a believer. The hypocrisy in faith is worst than disbelief itself. Hypocrisy in action is one of the major sins which can be forgiven.

[3] *Fisq* is that a man should fall into disobedience of Allāh. For example, Allāh has forbidden a Muslim to use words of abuse, and so long as a Muslim defies Allāh's commands by calling someone names, he becomes a *Fāsiq* (a sinner). If someone deems the murder of a Muslim permissible and fights that person while he is a Muslim, this is what is referred to in the *Hadith* as *Kufr* (disbelief). If these two things are not to be found in him, then the word *Kufr* (disbelief) may only be applied on him metaphorically, in that fighting a Muslim in from the actions of the disbelievers.

[4] *Zann* (baseless suspicion) has been construed as a calumny – false and malicious accusation – by the scholars and calumny is one of the major sinful acts.

1285. Narrated Ma'qil bin Yasār ﷺ: I heard Allāh's Messenger ﷺ saying, "There is no one whom Allah has placed in charge of people, and who dies while acting unjustly towards those who are under his charge, except that Allāh has forbidden him from Paradise."[1] [Agreed upon].

(١٢٨٥) وَعَنْ مَعْقِلِ بْنِ يَسَارٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «مَا مِنْ عَبْدٍ يَسْتَرْعِيهِ اللَّهُ رَعِيَّةً يَمُوتُ يَوْمَ يَمُوتُ وَهُوَ غَاشٌّ لِرَعِيَّتِهِ إِلَّا حَرَّمَ اللَّهُ عَلَيْهِ الجَنَّةَ». مُتَّفَقٌ عَلَيْهِ.

1286. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ said, "O Allāh, whoever is given charge over any affair of my *Ummah* (the Muslim people) and causes them distress, then cause him distress." [Muslim reported it].

(١٢٨٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْها قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «اللَّهُمَّ مَنْ وَلِيَ مِنْ أَمْرِ أُمَّتِي شَيْئاً فَشَقَّ عَلَيْهِمْ فَاشْقُقْ عَلَيْهِ». أَخْرَجَهُ مُسْلِمٌ.

1287. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "When any of you fights, he must avoid (hitting) the face."[2] [Agreed upon].

(١٢٨٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا قَاتَلَ أَحَدُكُمْ فَلْيَجْتَنِبِ الوَجْهَ». مُتَّفَقٌ عَلَيْهِ.

1288. Narrated (Abū Huraira) ﷺ: A man said, "O Messenger of Allāh, advice me." He (ﷺ) said, "Do not get angry."[3] The man repeated that several times and he replied, "Do not get angry." [Al-Bukhāri reported it].

(١٢٨٨) وَعَنْهُ، أَنَّ رَجُلاً قَالَ: يَا رَسُولَ اللهِ! أَوْصِنِي. قَالَ: «لَا تَغْضَبْ». فَرَدَّدَ مِرَاراً، وَقَالَ: «لَا تَغْضَبْ». أَخْرَجَهُ البُخَارِيُّ.

1289. Narrated Khaula Al-Ansāriya[4] ﷺ: Allāh's Messenger ﷺ said, "Some men wrongfully acquire(and spend) from the wealth of Allāh,[5] so they will enter

(١٢٨٩) وَعَنْ خَوْلَةَ الأَنْصَارِيَّةِ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ رِجَالاً يَتَخَوَّضُونَ فِي مَالِ اللهِ بِغَيْرِ حَقٍّ، فَلَهُمُ

[1] This states that *Ghash* is one of the major sins because nothing forbids one from entering Paradise except the one who has committed a major sinful act. The rulers are hereby instructed that they must treat Muslims justly. It warns that a great penalty awaits the tyrant rulers.

[2] This *Hadīth* indicates the prohibition of striking someone in the face, even while carrying out a prescribed punishment for a sinner. Even animals should not be hit in the face.

[3] This *Hadīth* is an embodiment of the virtues in this world and the Hereafter. This is due to the fact that a man is deprived of soft-heartiness as a result of anger on one hand, while on the other hand the people suffer from an unfair uneasiness and torture as a result of his anger. This is a double-edge crime, which affects the angry person as well as those whom he is angry with.

[4] Khaula, daughter of Thāmir Al-Ansāriya was nicknamed Umm Muhammad and her father was Qais bin Qahad, otherwise nicknamed Thāmir. She was from Banu Mālik bin An-Najār and was married to Hamza bin 'Abdul-Muttalib, and when he was killed at Uhud she was married by An-Nu'mān bin Al-'Ajlān Al-Ansāri Az-Zuraqi.

[5] This *Hadīth* is an evidence that even the ruler may not unfairly misappropriate the funds of *Baitul-Māl* (a state treasury) as this too is a major sin.

the Hell-Fire on the Day of Resurrection." [Al-Bukhāri reported it].

النَّارُ يَوْمَ القِيَامَةِ». أَخْرَجَهُ البُخَارِيُّ.

1290. Narrated Abū Dharr ﷺ quoted the Prophet ﷺ saying among what he narrated from his Lord [Allāh, the Most High] that He has said, "O My slaves, I have made *Zulm* (oppression, injustice) unlawful for Myself and I have made it unlawful among you, so do not oppress one another". [Muslim reported it].

(١٢٩٠) وَعَنْ أَبِي ذَرٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، فِيمَا يَرْوِيهِ عَنْ رَبِّهِ، قَالَ: «يَا عِبَادِي! إِنِّي حَرَّمْتُ الظُّلْمَ عَلَى نَفْسِي، وَجَعَلْتُهُ بَيْنَكُمْ مُحَرَّماً، فَلَا تَظَالَمُوا». أَخْرَجَهُ مُسْلِمٌ.

1291. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ asked, "Do you know what is backbiting?" They replied, "Allāh and His Messenger know best." He said, "It is saying something about your brother which he dislikes." Someone asked, "What if what I said about my brother was true?", He replied, "If what you say about him is true you have backbitten[1] him, and if it is not true you have slandered him." [Muslim reported it].

(١٢٩١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ قَالَ: «أَتَدْرُونَ مَا الغِيبَةُ؟» قَالُوا: اللَّهُ وَرَسُولُهُ أَعْلَمُ. قَالَ: «ذِكْرُكَ أَخَاكَ بِمَا يَكْرَهُ». قَالَ: أَفَرَأَيْتَ إِنْ كَانَ فِي أَخِي مَا أَقُولُ؟ قَالَ: «إِنْ كَانَ فِيهِ مَا تَقُولُ فَقَدِ اغْتَبْتَهُ، وَإِنْ لَمْ يَكُنْ فِيهِ فَقَدْ بَهَتَّهُ». أَخْرَجَهُ مُسْلِمٌ.

1292. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said, "Do not envy one another, do not outbid one another (with a view to raising the price), do not have hatred for one another, do not boycott one another, and do not enter into a transaction when the other has already entered into it; and be brothers (to one another) O servants of Allāh. A Muslim is the brother of a Muslim. He does not wrong him, nor desert him, nor despise him. Piety is found here – (pointing three times to his chest) – despising his Muslim brother is enough evil for any man to do. Every Muslim's blood, property and honor are unlawful[2] to be violated by another Muslim." [Muslim reported it].

(١٢٩٢) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَحَاسَدُوا، وَلَا تَنَاجَشُوا، وَلَا تَبَاغَضُوا، وَلَا تَدَابَرُوا. وَلَا يَبِعْ بَعْضُكُمْ عَلَى بَيْعِ بَعْضٍ، وَكُونُوا عِبَادَ اللهِ إِخْوَاناً، المُسْلِمُ أَخُو المُسْلِمِ، لَا يَظْلِمُهُ وَلَا يَخْذُلُهُ، وَلَا يَحْقِرُهُ، التَّقْوَى هَهُنَا»، وَيُشِيرُ إِلَى صَدْرِهِ، ثَلَاثَ مَرَّاتٍ، «بِحَسْبِ امْرِئٍ مِنَ الشَّرِّ أَنْ يَحْقِرَ أَخَاهُ المُسْلِمَ، كُلُّ المُسْلِمِ عَلَى المُسْلِمِ حَرَامٌ دَمُهُ وَمَالُهُ وَعِرْضُهُ». أَخْرَجَهُ مُسْلِمٌ.

[1] This *Hadīth* has been reported by many of the Companions of the Prophet ﷺ and it has been narrated in different ways. There is a common consensus that backbiting is forbidden and the majority of the scholars observe it to be one of the major sins.

[2] We learn through this *Hadīth* that it is forbidden for a Muslim to bear a grudge against another Muslim.

1293. Narrated Qutba bin Mālik[1] ﷺ: Allāh's Messenger ﷺ used to say, "O Allāh, distance me from evil characteristics, deeds, passions and diseases." [Reported by At-Tirmidhi. Al-Hākim graded it *Sahih* (authentic), and the wording is his].

(١٢٩٣) وَعَنْ قُطْبَةَ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَقُولُ: «اللَّهُمَّ جَنِّبْنِي مُنْكَرَاتِ الأَخْلَاقِ، وَالأَعْمَالِ، وَالأَهْوَاءِ، وَالأَدْوَاءِ». أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ الحَاكِمُ وَاللَّفْظُ لَهُ.

1294. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "Don't dispute with your brother; don't make jokes about him (maliciously); and don't make him a promise, and then break it." [At-Tirmidhi reported it with a *Da'if* (weak) chain of narrators].

(١٢٩٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تُمَارِ أَخَاكَ، وَلَا تُمَازِحْهُ، وَلَا تَعِدْهُ مَوْعِداً فَتُخْلِفَهُ». أَخْرَجَهُ التِّرْمِذِيُّ بِسَنَدٍ ضَعِيفٍ.

1295. Narrated Abū Sa'īd Al-Khudri ﷺ: Allāh's Messenger ﷺ said, "There are two characteristics which are not combined in a believer; miserliness and bad character." [At-Tirmidhi reported it and there is weakness in its chain of narrators].

(١٢٩٥) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «خَصْلَتَانِ لَا تَجْتَمِعَانِ فِي مُؤْمِنٍ: البُخْلُ وَسُوءُ الخُلُقِ». أَخْرَجَهُ التِّرْمِذِيُّ، وَفِي سَنَدِهِ ضَعْفٌ.

1296. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "When two men revile one another what they say is held against the one who began it, as long as the one who is wronged does not transgress the limits (in responding).[2] [Muslim reported it].

(١٢٩٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «المُسْتَبَّانِ مَا قَالَا فَعَلَى البَادِىءِ، مَا لَمْ يَعْتَدِ المَظْلُومُ». أَخْرَجَهُ مُسْلِمٌ.

1297. Narrated Abū Sirma[3] ﷺ: Allāh's Messenger ﷺ said, "He who causes harm to a Muslim will be harmed by Allāh,[4] and he who acts in a hostile

(١٢٩٧) وَعَنْ أَبِي صِرْمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ ضَارَّ مُسْلِماً ضَارَّهُ اللَّهُ، وَمَنْ شَاقَّ مُسْلِماً شَاقَّ اللَّهُ

[1] He was a *Sahābi* from Banu Tha'laba bin Sa'd bin Dhubyān, also called Adh-Dhubyāni. He was a resident of Kufa and has narrated some *Ahadīth* narrated from him by his nephew Ziyād bin 'Alāqa.

[2] This *Hadīth* clarifies two things. The first is that the act of avenging oneself, on someone who has committed an inequity, is fair and permissible. Secondly, the whole sin shall be incurred by the one who starts the quarrel and perpetrates it, as long as the other party does not exceed limits by committing an aggression. Despite all of this, it is better to grant one's forgiveness to such evildoers.

[3] He is Mālik bin Qais or Qais bin Mālik and was a *Sahābi* from the tribe of Māzin. He took part in Badr and the rest of the other battles and has narrated some *Ahadīth*.

[4] This *Hadīth* bears a warning against causing any harm to a Muslim, even if it seems to be of a very minor nature.

manner against a Muslim, will be treated in a hostile manner by Allāh." [Abū Dā'ud and At-Tirmidhi reported it, and the latter graded it ***Hasan*** (good)].

عَلَيْهِ». أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ.

1298. Narrated Abū Ad-Dardā'[1] ؓ: Allāh's Messenger ﷺ said, "Verily! Allāh hates ***Al-Fāhish*** (who acts shamelessly) and ***Al-Badhi'*** (who uses obscene language)." [At-Tirmidhi reported and graded it ***Sahih*** (authentic)].

(١٢٩٨) وَعَنْ أَبِي الدَّرْدَاءِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ اللَّهَ يُبْغِضُ الفَاحِشَ البَذِيءَ». أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ.

1299. He (At-Tirmidhi) reported from the ***Hadīth*** of Ibn Mas'ūd ؓ who narrated (the Prophet ﷺ as saying): "A believer is not given to accusing others (falsely), nor cursing them,[2] nor acting shamelessly, nor speaking obscenities." [At-Tirmidhi graded it ***Hasan*** (good), and Al-Hākim graded it ***Sahih*** (authentic). However, Ad-Dāraqutni held that the stronger view is that it is ***Mawqūf*** (a saying of a Companion)].

(١٢٩٩) وَلَهُ مِنْ حَدِيثِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - رَفَعَهُ -: «لَيْسَ المُؤْمِنُ بِالطَّعَّانِ، وَلَا اللَّعَّانِ، وَلَا الفَاحِشِ، وَلَا البَذِيءِ». وَحَسَّنَهُ، وَصَحَّحَهُ الحَاكِمُ، وَرَجَّحَ الدَّارَقُطْنِيُّ وَقْفَهُ.

1300. Narrated 'Aisha ؓ: Allāh's Messenger ﷺ said, "Do not revile the dead,[3] for they have come to what they have sent before them." [Al-Bukhāri reported it].

(١٣٠٠) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَسُبُّوا الأَمْوَاتَ، فَإِنَّهُمْ قَدْ أَفْضَوْا إِلَى مَا قَدَّمُوا». أَخْرَجَهُ البُخَارِيُّ.

1301. Narrated Hudhaifa ؓ: Allāh's Messenger ﷺ said, "A ***Qattāt*** (scandalmonger) will not enter

(١٣٠١) وَعَنْ حُذَيْفَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَدْخُلُ الجَنَّةَ

[1] Abū Ad-Dardā' was called 'Uwaimir bin Zaid or Ibn 'Aamir or Ibn Mālik bin 'Abdullāh bin Qais. He was an *Ansāri* from Al-Khazraj tribe. He was among the greatest and most ascetic *Sahāba*. He became a Muslim on the day of the battle of Badr and took part in Uhud. 'Umar رضي الله عنه included him among those who took part in Badr. He compiled the Qur'ān and was appointed as the *Qādi* of Damascus. He has many merits and was quoted to have said, "A fame of one hour could cause a long sadness." He died in 32 H.

[2] This *Hadīth* clarifies that it is not the behavior of a Muslim to call someone bad names or curse them. It is, however, permissible to curse someone who has specifically been cursed by Allāh and His Messenger (ﷺ), or to pronounce the curse of Allah – in general – upon the disbelievers, evildoers, etc. Otherwise, it is not permissible to curse – by name – specific people.

[3] It, thus, becomes known to us that the act of calling a dead person bad names is forbidden. This is primarily in reference to the Muslim dead, and may include a disbeliever, if cursing him would cause harm to a believer who is related to him

Paradise."[1] [Agreed upon].

قَتَّاتٌ». مُتَّفَقٌ عَلَيْهِ.

1302. Narrated Anas ﷺ: Allāh's Messenger ﷺ said, "Whoever restrained his anger, Allāh will keep His punishment from him (on the Day of Resurrection)." [At-Tabarāni reported it in *Al-Awsat*]. The aforesaid *Hadīth* has a *Shāhid* (supporting narration) in the *Hadith* of Ibn 'Umar (ﷺ), reported by Ibn Abū Ad-Dunya.

(١٣٠٢) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ كَفَّ غَضَبَهُ كَفَّ اللَّهُ عَنْهُ عَذَابَهُ». أَخْرَجَهُ الطَّبَرَانِيُّ فِي الأَوْسَطِ. وَلَهُ شَاهِدٌ مِنْ حَدِيثِ ابْنِ عُمَرَ عِنْدَ ابْنِ أَبِي الدُّنْيَا.

1303. Narrated Abū Bakr As-Siddiq ﷺ: Allāh's Messenger ﷺ said, "A deceiver, a stingy person, and one who abuses those under his authority (human or animal) will not enter Paradise." [Reported by At-Tirmidhi who separated it into two *Hadīth*, and there is weakness in its chain of narrators].

(١٣٠٣) وَعَنْ أَبِي بَكْرٍ الصِّدِّيقِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَدْخُلُ الجَنَّةَ خَبٌّ، وَلَا بَخِيلٌ، وَلَا سَيِّءُ المَلَكَةِ». أَخْرَجَهُ التِّرْمِذِيُّ، وَفَرَّقَهُ حَدِيثَيْنِ، وَفِي إِسْنَادِهِ ضَعْفٌ.

1304. Narrated Ibn 'Abbās ﷺ: Allāh's Messenger ﷺ said, "If anyone listened to the talk of some people, while they dislike him doing so, then molten lead will be poured into his ears on the Day of Resurrection." [Al-Bukhāri reported it].

(١٣٠٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ تَسَمَّعَ حَدِيثَ قَوْمٍ، وَهُمْ لَهُ كَارِهُونَ، صُبَّ فِي أُذُنَيْهِ الآنُكُ يَوْمَ القِيَامَةِ». يَعْنِي الرَّصَاصَ. أَخْرَجَهُ البُخَارِيُّ.

1305. Anas ﷺ: Allāh's Messenger ﷺ said, "*Tubā* (a tree in paradise) will be for he who is too occupied with his own defects to mention the defects of other people." [Al-Bazzār reported it with a *Hasan* (good) chain of narrators].

(١٣٠٥) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «طُوبَى لِمَنْ شَغَلَهُ عَيْبُهُ عَنْ عُيُوبِ النَّاسِ». أَخْرَجَهُ البَزَّارُ بِإِسْنَادٍ حَسَنٍ.

1306. Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "Whoever exalts himself and walks proudly, Allāh will be angry with him when he meets Him (on the Day of Resurrection)."[2] [Al-Hākim reported it, and its narrators are reliable].

(١٣٠٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ تَعَاظَمَ فِي نَفْسِهِ، وَاخْتَالَ فِي مِشْيَتِهِ لَقِيَ اللَّهَ وَهُوَ عَلَيْهِ غَضْبَانُ». أَخْرَجَهُ الحَاكِمُ، وَرِجَالُهُ ثِقَاتٌ.

---

[1] Hāfiz Mundhiri observes that according to a common consensus of the scholars of the *Ummah*, the practice of scandalmongering – i.e. carrying tales from one person to another to sow dissension between them – is forbidden. This is one of the major sins.

[2] This *Hadīth* informs us that pride and arrogance is forbidden and is considered to be a major sin. It is reported by At-Tirmidhi that, the one who has even an iota of pride in his heart, shall not enter Paradise.

1307. Narrated Sahl bin Sa'd ﷺ: Allāh's Messenger ﷺ said, "Haste is from Satan." [At-Tirmidhi reported it and said it is *Hasan*].

(١٣٠٧) وَعَنْ سَهْلِ بْنِ سَعْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «العَجَلَةُ مِنَ الشَّيْطَانِ». أَخْرَجَهُ التِّرْمِذِيُّ، وَقَالَ: حَسَنٌ.

1308. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ said, "*Shu'm* (Misfortune) is (the result of) bad character."[1] [Ahmad reported it, but there is weakness in its chain of narrators].

(١٣٠٨) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «الشُّؤْمُ سُوءُ الخُلُقِ». أَخْرَجَهُ أَحْمَدُ، وَفِي إِسْنَادِهِ ضَعْفٌ.

1309. Narrated Abū Ad-Dardā' ﷺ: Allāh's Messenger ﷺ said, "Those accustomed to cursing will not be *Shufa'ā* (intercessors) nor *Shuhadā* (witnesses or martyrs) on the Day of Resurrection." [Muslim reported it].

(١٣٠٩) وَعَنْ أَبِي الدَّرْدَاءِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ اللَّعَّانِينَ لَا يَكُونُونَ شُفَعَاءَ وَلَا شُهَدَاءَ يَوْمَ القِيَامَةِ». أَخْرَجَهُ مُسْلِمٌ.

1310. Narrated Mu'ādh bin Jabal ﷺ: Allāh's Messenger ﷺ said, "Whoever insults his brother due to a sin (which he has committed), will not die until he commits it himself."[2] [At-Tirmidhi reported it and graded it as *Hasan* (good), while its chain is *Munqati'* (broken)].

(١٣١٠) وَعَنْ مُعَاذِ بْنِ جَبَلٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ عَيَّرَ أَخَاهُ بِذَنْبٍ لَمْ يَمُتْ حَتَّى يَعْمَلَهُ». أَخْرَجَهُ التِّرْمِذِيُّ، وَحَسَّنَهُ، وَسَنَدُهُ مُنْقَطِعٌ.

1311. Bahz bin Hakim, on his father's authority, that his grandfather ﷺ narrated Allāh's Messenger ﷺ say, "Woe to him! Who lies in his talk to make the people laugh,[3] Woe to him!, Woe to him!" [*Ath-Thalātha* reported it and its chain of narrators is *Qawi* (strong)].

(١٣١١) وَعَنْ بَهْزِ بْنِ حَكِيمٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «وَيْلٌ لِلَّذِي يُحَدِّثُ فَيَكْذِبُ لِيُضْحِكَ بِهِ القَوْمَ، وَيْلٌ لَهُ، ثُمَّ وَيْلٌ لَهُ». أَخْرَجَهُ الثَّلَاثَةُ، وَإِسْنَادُهُ قَوِيٌّ.

1312. Narrated Anas ﷺ: The Prophet ﷺ said, "The atonement of backbiting a

(١٣١٢) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ،

[1] The evil that befalls a human being is caused by his own bad behavior. This *Hadith* also suggests that good and bad character is something acquired by every person by choice.

[2] We thus know that the mere mention of the defects of another person is a sinful act. It is even worse to mention someone's shortcomings in front of others, with the intention of putting him to shame. A *Hadīth* states that one should not remind anyone of his sin in reply to something he has said (which you may not like).

[3] Telling a lie – even while joking – is one of the major sins and one of the characteristics of a hypocrite. A lie which neither pays someone in terms of worldly gains nor the Hereafter, is the worst kind of lie. Listening to lies is also forbidden, and one must speak out against it or get up and leave.

man is to ask Allāh to forgive him."[1] [Al-Hārith bin Abū Usāma reported it with a weak chain of narrators].

عَنِ النَّبِيِّ ﷺ قَالَ: «كَفَّارَةُ مَنِ اغْتَبْتَهُ أَنْ تَسْتَغْفِرَ لَهُ». رَوَاهُ الحَارِثُ بْنُ أَبِي أُسَامَةَ بِإِسْنَادٍ ضَعِيفٍ.

1313. Narrated 'Aisha ﷺ: Allāh's Messenger ﷺ said, "The most detested of people to Allāh is the obstinate argumentative (person)." [Muslim reported it].

(١٣١٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «أَبْغَضُ الرِّجَالِ إِلَى اللهِ الأَلَدُّ الخَصِمُ». أَخْرَجَهُ مُسْلِمٌ.

Chapter 5
EXHORTATION TO GOOD CHARACTER

٥ - بَابُ التَّرْغِيبِ فِي مَكَارِمِ الأَخْلَاقِ

1314. Narrated Ibn Mas'ūd ﷺ: Allāh's Messenger ﷺ said, "Adhere (you people) to truthfulness, indeed truthfulness leads to righteousness and righteousness leads to Paradise, and if a man continues to speak the truth and makes truth his object he will be recorded as truthful before Allah. Avoid (you people) falsehood, indeed falsehood leads to wickedness and wickedness leads to Hell-Fire, and if a man continues to speak falsehood and makes falsehood his object he will be recorded as a liar before Allah." [Agreed upon].

(١٣١٤) عَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «عَلَيْكُمْ بِالصِّدْقِ، فَإِنَّ الصِّدْقَ يَهْدِي إِلَى البِرِّ، وَإِنَّ البِرَّ يَهْدِي إِلَى الجَنَّةِ، وَمَا يَزَالُ الرَّجُلُ يَصْدُقُ، وَيَتَحَرَّى الصِّدْقَ حَتَّى يُكْتَبَ عِنْدَ اللهِ صِدِّيقاً، وَإِيَّاكُمْ وَالكَذِبَ، فَإِنَّ الكَذِبَ يَهْدِي إِلَى الفُجُورِ، وإن الفُجُورَ يَهْدِي إِلَى النَّارِ، وَمَا يَزَالُ الرَّجُلُ يَكْذِبُ، وَيَتَحَرَّى الكَذِبَ حَتَّى يُكْتَبَ عِنْدَ اللهِ كَذَّاباً». مُتَّفَقٌ عَلَيْهِ.

1315. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Avoid (you people) suspicion for indeed suspicion is the worst form of false speech." [Agreed upon].

(١٣١٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِيَّاكُمْ وَالظَّنَّ، فَإِنَّ الظَّنَّ أَكْذَبُ الحَدِيثِ». مُتَّفَقٌ عَلَيْهِ.

1316. Narrated Abū Sa'īd Al-Khudri ﷺ: Allāh's Messenger ﷺ said, "Avoid sitting by the road side."[2] They (the *Sahāba*)

(١٣١٦) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِيَّاكُمْ

[1] The atonement for backbiting is that, if someone backbites another person, he must apologize to that very person and ask his forgiveness. In case he could not find that person, one must pray for his sins to be forgiven.

[2] Five of the obligations of sitting on the road sides have been mentioned here. *Ahādith* contain some other obligations as well, namely, giving directions to a wayfarer and

asked, "O Allāh's Messenger, we cannot do without those meeting places in which we converse," so he said, "Well, if you insist (on that) give the road its dues." They asked, "What are the road's dues?" He replied, "Lowering the eyes, abstaining from anything offensive, returning salutations, enjoining good and forbidding evil." [Agreed upon].

وَالجُلُوسَ عَلَى الطُّرُقَاتِ»، قَالُوا: يَا رَسُولَ اللهِ! مَا لَنَا بُدٌّ مِنْ مَجَالِسِنَا، نَتَحَدَّثُ فِيهَا، قَالَ: «فَأَمَّا إِذَا أَبَيْتُمْ فَأَعْطُوا الطَّرِيقَ حَقَّهُ»، قَالُوا: وَمَا حَقُّهُ؟ قَالَ: «غَضُّ البَصَرِ، وَكَفُّ الأَذَى، وَرَدُّ السَّلَامِ، وَالأَمْرُ بِالمَعْرُوفِ، وَالنَّهْيُ عَنِ المُنْكَرِ». مُتَّفَقٌ عَلَيْهِ.

1317. Narrated Mu'āwiya ﷺ: Allāh's Messenger ﷺ said, "Whoever Allāh wishes good for, He gives him understanding of the religion."[1] [Agreed upon].

(١٣١٧) وَعَنْ مُعَاوِيَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ يُرِدِ اللَّهُ بِهِ خَيْراً يُفَقِّهْهُ فِي الدِّينِ». مُتَّفَقٌ عَلَيْهِ.

1318. Narrated Abū Ad-Dardā ﷺ: Allāh's Messenger ﷺ said, "There isn't anything, which will be put on the scales (on the Day of Resurrection), heavier than good character." [Abū Dā'ud and At-Tirmidhi reported it, and the latter graded it *Sahih* (authentic)].

(١٣١٨) وَعَنْ أَبِي الدَّرْدَاءِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَا مِنْ شَيْءٍ فِي المِيزَانِ أَثْقَلُ مِنْ حُسْنِ الخُلُقِ». أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ.

1319. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "Modesty is part of Faith."[2] [Agreed upon].

(١٣١٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الحَيَاءُ مِنَ الإِيمَانِ». مُتَّفَقٌ عَلَيْهِ.

1320. Narrated Abu Mas'ūd ﷺ: Allāh's Messenger ﷺ said, "One of the things people have learned from the earlier prophecies is, 'If you don't feel any shame, do whatever you like.' "[3] [Al-

(١٣٢٠) وَعَنْ أَبِي مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ مِمَّا أَدْرَكَ النَّاسُ مِنْ كَلَامِ النُّبُوَّةِ الأُولَى: إِذَا لَمْ تَسْتَحِ

responding to someone who sneezes, etc., which are about fourteen obligations. In Arabic, *Ghaddul-Basar* implies that one should keep one's eye downcast by avoiding staring at women and looking at other forbidden things.

[1] The knowledge of the lawful and unlawful matters and Islamic rules is called *Fiqh*. This statement shows the greatness o. *Fiqh*. What is referred to here is the knowledge of the Qur'an and *Sunnah* of the Proph , not the complex maze of arguments and philosophy found in some of the present day ooks of jurisprudence, which can not be understood by an ordinary person.

[2] This *Hadīth* implies that modesty helps a person avoid committing sinful acts, or falling short in fulfilling the rights of those who have rights over him. It makes a person think about his reputation, which might be at stake in case his sinful act gains publicity. In other words, the non-occurrence of vices was due to the modesty, which is one of the constituents forming Islam. This is why this special branch of Faith has been mentioned here.

[3] Even though the previous systems of law – revealed to the earlier Prophets – have all been

Bukhāri reported it].

فَاصْنَعْ مَا شِئْتَ». أَخْرَجَهُ الْبُخَارِيُّ.

1321. Narrated Abū Huraira ؓ: Allāh's Messenger ﷺ said, "The strong believer is better and more beloved to Allāh[1] than the weak believer, and in each of them there is goodness. Be keen on what benefits you, seek help in Allāh, and do not give up. If anything afflicts you, do not say, 'If I had done such and such thing, such and such would have happened.' Instead say, 'Allāh has decreed (this), and what He wills He does.' Indeed! (the utterance) 'If' provides an opening for the work of the devil." [Muslim reported it].

(١٣٢١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الْمُؤْمِنُ الْقَوِيُّ خَيْرٌ وَأَحَبُّ إِلَى اللهِ مِنَ الْمُؤْمِنِ الضَّعِيفِ، وَفِي كُلٍّ خَيْرٌ، احْرِصْ عَلَى مَا يَنْفَعُكَ، وَاسْتَعِنْ بِاللهِ، وَلَا تَعْجَزْ، وَإِنْ أَصَابَكَ شَيْءٌ فَلَا تَقُلْ: لَوْ أَنِّي فَعَلْتُ كَذَا، كَانَ كَذَا وَكَذَا، وَلَكِنْ قُلْ: قَدَّرَ اللَّهُ، وَمَا شَاءَ فَعَلَ، فَإِنَّ «لَوْ» تَفْتَحُ عَمَلَ الشَّيْطَانِ». أَخْرَجَهُ مُسْلِمٌ.

1322. Narrated 'Iyād bin Himār ؓ: Allāh's Messenger ﷺ said, "Allāh, the Most High, has revealed to me that you should be humble, so that no one transgresses against another, and no one boasts to another."[2] [Muslim reported it].

(١٣٢٢) وَعَنْ عِيَاضِ بْنِ حِمَارٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ اللَّهَ تَعَالَى أَوْحَى إِلَيَّ أَنْ تَوَاضَعُوا، حَتَّى لَا يَبْغِيَ أَحَدٌ عَلَى أَحَدٍ، وَلَا يَفْخَرَ أَحَدٌ عَلَى أَحَدٍ». أَخْرَجَهُ مُسْلِمٌ.

1323. Narrated Abū Ad-Dardā' ؓ: The Prophet ﷺ said, "Whoever defends his brother's honor in his absence,[3] Allāh will protect his face from the Hell-Fire on the Day of Resurrection." [At-Tirmidhi reported it, and graded it *Hasan* (good). Ahmad has something similar from the *Hadīth* of Asmā',[4]

(١٣٢٣) وَعَنْ أَبِي الدَّرْدَاءِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ رَدَّ عَنْ عِرْضِ أَخِيهِ بِالْغَيْبِ، رَدَّ اللَّهُ عَنْ وَجْهِهِ النَّارَ يَوْمَ الْقِيَامَةِ». أَخْرَجَهُ التِّرْمِذِيُّ، وَحَسَّنَهُ، وَلِأَحْمَدَ مِنْ حَدِيثِ أَسْمَاءَ بِنْتِ يَزِيدَ نَحْوَهُ.

---

nullified, the element of modesty, which is one of the contents of all the previous systems, has not been cancelled. Modesty is the only deterrent, which if taken out of a human being, shall allow his conscience to go berserk and do whatever he likes.

[1] What is meant by a strong believer? This does not allude to one's physical health. Instead, it only points to one's strength of will power, in relation to his doing virtuous acts for the reward of the Hereafter.

[2] We see here that both transgression and pride are blameworthy characteristics. It is reported in a *Hadīth* that the Prophet ﷺ stated that transgression is one of the worst of the criminal acts that are punishable in this world as well as in the Hereafter. Indeed, lack of humbleness fosters and breeds both transgression and pride.

[3] If someone backbites a third person before somebody, the listener must stop him on the spot; and if possible, one should mention his virtuous deeds and qualities instead.

[4] She is Asmā', daughter of Yazid bin As-Sakan Al-Ashhaliya. She was the spokesperson of the women. She participated in the battle of Yarmūk and killed nine people with a pole on that day.

daughter of Yazid].

1324. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "*Sadaqa* does not reduce (one's) wealth; and Allāh increases the honor of him who pardons (others); and no one will humble himself for Allāh's sake without Allāh raising him up."[1] [Muslim reported it].

(١٣٢٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَا نَقَصَتْ صَدَقَةٌ مِنْ مَالٍ، وَمَا زَادَ اللَّهُ عَبْداً بِعَفْوٍ إِلَّا عِزّاً، وَمَا تَوَاضَعَ أَحَدٌ لِلَّهِ إِلَّا رَفَعَهُ اللهُ تَعَالَى». أَخْرَجَهُ مُسْلِمٌ.

1325. Narrated 'Abdullāh bin Salām ﷺ: Allāh's Messenger ﷺ said, "O people extend greetings (of peace), join the ties of blood relations, provide food, and pray at night while the people are asleep. Then, you will enter Paradise in peace." [At-Tirmidhi reported it and graded it *Sahih* (authentic)].

(١٣٢٥) وَعَنْ عَبْدِ اللهِ بْنِ سَلَامٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «يَا أَيُّهَا النَّاسُ! أَفْشُوا السَّلَامَ، وَصِلُوا الأَرْحَامَ، وَأَطْعِمُوا الطَّعَامَ، وَصَلُّوا بِاللَّيْلِ، وَالنَّاسُ نِيَامٌ، تَدْخُلُوا الجَنَّةَ بِسَلَامٍ». أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ.

1326. Narrated Tamim Ad-Dāri[2] ﷺ: Allāh's Messenger ﷺ said three times, "The religion is *Nasiba* (sincerity)."[3] We asked, 'Who is it (directed) to, O Messenger of Allah? He replied, "To Allāh, His Book, His Messenger, the leaders of the Muslims, and their common folk." [Muslim reported it].

(١٣٢٦) وَعَنْ تَمِيمٍ الدَّارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الدِّينُ النَّصِيحَةُ»، ثَلَاثاً، قُلْنَا: لِمَنْ هِيَ يَا رَسُولَ اللهِ؟ قَالَ: «للهِ، وَلِكِتَابِهِ وَلِرَسُولِهِ، وَلأَئِمَّةِ المُسْلِمِينَ وَعَامَّتِهِمْ». أَخْرَجَهُ مُسْلِمٌ.

1327. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "The fear of Allāh

(١٣٢٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَكْثَرُ مَا يُدْخِلُ

[1] The three qualities that have been mentioned in this *Hadīth* have been named as 'the root of politeness and good disposition'. It teaches charity, forgiveness and humbleness.

[2] He is Abū Ruqaiya, Tamim bin Aus bin Khārija Ad-Dāri. He became a Muslim in the year 9 H. and settled at Bait-ul-Maqdis (Jerusalem). Ibn Sirin said that he compiled the Qur'ān and used to recite it all in a single night. He died in 40 H.

[3] This *Hadīth* should be reckoned as the pivotal base of Islam. It needs to be explained at length, but this is not the place for such. *Nasiba* to Allāh is that one should have faith in Allāh, not associate partners with Him and obey His injunctions. The *Nasiba* to the Book of Allah is believing that it is the Speech of Allah, taking what is allows as permissible, and taking what is prohibits as forbidden, and reading it properly, reflecting upon its meanings and acting according to it. The *Nasiba* to the Prophet ﷺ is to testify to his Prophethood and to follow his *Sunnah*. The *Nasiba* to the Muslim rulers is to assist them in that which is right, obey their commands, remind them of the needs of the people, advise them with gentleness and respect and encourage them to be just. The *Nasiba* to the common Muslim people is that the things concerning their prosperity in this world and the next should be explained to them, protecting them from harm, commanding them with good and forbidding them from evil.

and good character[1] are the major things which lead to Paradise." [At-Tirmidhi reported it, and Al-Hākim graded it *Sahih* (authentic)].

الجَنَّةَ تَقْوَى اللهِ وَحُسْنُ الخُلُقِ». أَخْرَجَهُ التِّرْمِذِيُّ وَصَحَّحَهُ الحَاكِمُ.

1328. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said, "You can not satisfy (all) the people with your wealth, but satisfy them with a cheerful face and good character." [Abū Ya'la reported it and Al-Hākim graded it *Sahih* (authentic)].

(١٣٢٨) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّكُمْ لَا تَسَعُونَ النَّاسَ بِأَمْوَالِكُمْ، وَلَكِنْ لِيَسَعْهُمْ مِنْكُمْ بَسْطُ الوَجْهِ وَحُسْنُ الخُلُقِ». أَخْرَجَهُ أَبُو يَعْلَى وَصَحَّحَهُ الحَاكِمُ.

1329. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said, "The believer is the mirror[2] of his believing brother." [Abū Dā'ud reported it with a *Hasan* (good) chain of narrators].

(١٣٢٩) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «المُؤْمِنُ مِرْآةُ أَخِيهِ المُؤْمِنِ». أَخْرَجَهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ.

1330. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ said, "The believer who mixes with people and patiently endures their harm, is better than the one who does not mix with them and does not endure their harm." [Ibn Mājah reported it with a *Hasan* (good) chain of narrators. At-Tirmidhi also reported this *Hadīth* but he did not mention the name of the Companion].

(١٣٣٠) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «المُؤْمِنُ الَّذِي يُخَالِطُ النَّاسَ وَيَصْبِرُ عَلَى أَذَاهُمْ، خَيْرٌ مِنَ الَّذِي لَا يُخَالِطُ النَّاسَ وَلَا يَصْبِرُ عَلَى أَذَاهُمْ». أَخْرَجَهُ ابْنُ مَاجَهْ بِإِسْنَادٍ حَسَنٍ، وَهُوَ عِنْدَ التِّرْمِذِيِّ، إِلَّا أَنَّهُ لَمْ يُسَمِّ الصَّحَابِيَّ.

1331. Narrated Ibn Mas'ūd ﷺ: Allāh's Messenger ﷺ said, "O Allāh as You have made my (physical) form beautiful, so make my character beautiful." [Reported by Ahmad, and Ibn Hibbān graded it *Sahih* (authentic)].

(١٣٣١) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «اللَّهُمَّ كَمَا حَسَّنْتَ خَلْقِي، فَحَسِّنْ خُلُقِي». رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

[1] Good character here includes treating people good, refraining from causing them any harm and maintaining a cheerful appearance while interacting with them. The Arabic word *Taqwa* stands for one's compliance with the Divine commands and avoiding the prohibitions.

[2] One learns about his own pleasant appearance or ugliness, by looking at oneself in a mirror. Similarly, a Muslim should apprise another Muslim of his shortcomings, so that he may become one of those loved of Allāh and people, by getting rid of his defects.

Chapter 6
REMEMBRANCE OF ALLAH AND SUPPLICATIONS

٦ - بَابُ الذِّكْرِ وَالدُّعَاءِ

1332. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Allāh the Most High says: 'I am with My slave[1] when he remembers Me and his lips move with My mention.' " [Ibn Mājah reported it, Ibn Hibbān graded it *Sahih* (authentic) and Al-Bukhāri mentioned it as *Mu'allaq* (with a broken chain from his side].

(١٣٣٢) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «يَقُولُ اللَّهُ تَعَالَى: أَنَا مَعَ عَبْدِي مَا ذَكَرَنِي وَتَحَرَّكَتْ بِي شَفَتَاهُ». أَخْرَجَهُ ابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَذَكَرَهُ الْبُخَارِيُّ تَعْلِيقاً.

1333. Narrated Mu'ādh bin Jābal ﷺ: Allāh's Messenger ﷺ said, "No human being has done any deed more likely to save him from Allāh's punishment than the remembrance of Allāh." [Reported by Ibn Abū Shaiba and At-Tabarāni it with a *Hasan* (good) chain of narrators].

(١٣٣٣) وَعَنْ مُعَاذِ بْنِ جَبَلٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَا عَمِلَ ابْنُ آدَمَ عَمَلاً أَنْجَى لَهُ مِنْ عَذَابِ اللهِ مِنْ ذِكْرِ اللهِ». أَخْرَجَهُ ابْنُ أَبِي شَيْبَةَ وَالطَّبَرَانِيُّ بِإِسْنَادٍ حَسَنٍ.

1334. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "People will not sit in an assembly in which they remember Allāh without the angels surrounding them,[2] mercy covering them, and Allāh mentioning them among those who are with Him." [Muslim reported it].

(١٣٣٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَا جَلَسَ قَوْمٌ مَجْلِساً يَذْكُرُونَ اللَّهَ فِيهِ إِلَّا حَفَّتْهُمُ الْمَلَائِكَةُ، وَغَشِيَتْهُمُ الرَّحْمَةُ، وَذَكَرَهُمُ اللَّهُ فِيمَنْ عِنْدَهُ». أَخْرَجَهُ مُسْلِمٌ.

1335. Narrated (Abū Huraira) ﷺ: Allāh's Messenger ﷺ said, "If people sit in an assembly in which they do not remember Allāh or invoke blessings on the Prophet ﷺ,[3] it will be a cause of grief to them on the Day of

(١٣٣٥) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَا قَعَدَ قَوْمٌ مَقْعَداً لَمْ يَذْكُرُوا اللَّهَ فِيهِ، وَلَمْ يُصَلُّوا عَلَى النَّبِيِّ ﷺ إِلَّا كَانَ عَلَيْهِمْ حَسْرَةً يَوْمَ الْقِيَامَةِ». أَخْرَجَهُ التِّرْمِذِيُّ، وَقَالَ: حَسَنٌ.

[1] Here is this *Hadith* Allāh proclaims His 'being with' His servant through His Knowledge (of everything) and Omnipotence (over everything), and not that Allah is 'with' His servant physically. The Qur'an proclaims that Allah is High above His Throne.

[2] We learn through this *Hadīth* that the remembrance of Allāh is also observed by sitting together praising Him, supplicating Him, reciting the Qur'an and teaching the matters related to Islam, etc. It is not necessary to observe remembrance of Allāh in solitude only. It further brings it to our knowledge that some of Allāh's angels are also the ones who roam the streets and attend the gatherings where the remembrance of Allāh is being observed.

[3] Another *Hadīth* states, "If He wills, He will punish them, and if He wills, He will forgive them". These words denote that the remembrance of Allāh and sending peace and blessing

Resurrection." [At-Tirmidhi reported it and said that it is a *Hasan* (good) *Hadīth*].

1336. Narrated Abū Ayūb Al-Ansari ﷺ: Allāh's Messenger ﷺ said, "Whoever says ten times: 'There is nothing worthy of worship except Allāh, Alone, Who has no partner. His is the Kingdom, and His is the Praise, and He has Power over everything' will be (in reward) like he who freed four of the descendants of Ismā'il (Ishmael) from slavery."[1] [Agreed upon].

(١٣٣٦) وَعَنْ أَبِي أَيُّوبَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ قَالَ: لَا إِلَهَ إِلَّا اللَّهُ، وَحْدَهُ، لَا شَرِيكَ لَهُ، لَهُ الْمُلْكُ، وَلَهُ الحَمْدُ، بِيَدِهِ الخَيْرُ، يُحْيِي وَيُمِيتُ، وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ، عَشْرَ مَرَّاتٍ، كَانَ كَمَنْ أَعْتَقَ أَرْبَعَةَ أَنْفُسٍ مِنْ وَلَدِ إِسْمَاعِيلَ». مُتَّفَقٌ عَلَيْهِ.

1337. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ said, "Whoever says a hundred times in a day: 'Allāh is free from every imperfection, and His is the praise' – his sins will be removed from him, even if they were as much as the foam of the sea." [Agreed upon].

(١٣٣٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ قَالَ: سُبْحَانَ اللَّهِ وَبِحَمْدِهِ، مِائَةَ مَرَّةٍ، حُطَّتْ عَنْهُ خَطَايَاهُ، وَإِنْ كَانَتْ مِثْلَ زَبَدِ البَحْرِ». مُتَّفَقٌ عَلَيْهِ.

1338. Narrated Juwairiya ﷺ daughter of Al-Hārith[2] : Allāh's Messenger ﷺ said to me, "Since leaving you I have said four phrases which, if weighed against all you have said today, would prove to be heavier:[3] 'Allah is free from every imperfection, and His is the praise

(١٣٣٨) وَعَنْ جُوَيْرِيَةَ بِنْتِ الحَارِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ لِي رَسُولُ اللهِ ﷺ: «لَقَدْ قُلْتُ بَعْدَكِ أَرْبَعَ كَلِمَاتٍ لَوْ وُزِنَتْ بِمَا قُلْتِ مُنْذُ اليَوْمِ لَوَزَنَتْهُنَّ: سُبْحَانَ اللهِ وَبِحَمْدِهِ، عَدَدَ خَلْقِهِ، وَرِضَا نَفْسِهِ، وَزِنَةَ

on the Prophet ﷺ are compulsory, as only failing to perform what is compulsory, or engaging in what is prohibited involves a threat of punishment.

[1] We should know that this *Hadīth*, as well as other similar *Ahādith*, contain words to the effect that whosoever does such and such thing, shall acquire such and such reward or all of his sins shall be forgiven. There is a difference of opinion among the scholars as to what this actually means. Some maintain that the reward shall be given to the one who always does it, whereas others do not consider this a condition. They hold that one who performs such a act, must avoid committing any of the major sins. This means that such good deeds shall only remove the minor sins and not the major ones. Other scholars are of the opinion that it does not involve the controversy of the major and minor sins, but it is merely a statement of the reward to be earned. Some scholars hold that the minor sins are forgiven by every virtuous act, whereas the major sins require repentance and asking Allāh's forgiveness.

[2] She was an *Ummul-Mu'minīn* and was among the captives of the battle of Al-Muraisi'. She was part of the share of Thābit bin Qais bin Shammās, who agreed with her to buy her freedom. The Prophet ﷺ then paid him and married her. The *Sahāba* then freed her people while saying, "These are the in-laws of Allāh's Messenger ﷺ." So she was the most beneficial woman for her people. She died in the year 56 H.

[3] This *Hadīth* is so narrated that the Prophet ﷺ left for prayer while Juwairiya ﷺ was busy in Allāh's remembrance. When the Prophet ﷺ came back after the prayer at the time of

(equal) to the number of His creatures, in accordance with His Good Pleasure, (equal) to the weight of His Throne and to the (extent) of the ink of His Words.''' [Muslim reported it].

عَرْشِهِ، وَمِدَادَ كَلِمَاتِهِ». أَخْرَجَهُ مُسْلِمٌ.

1339. Narrated Abū Sa'īd Al-Khudri ﷺ: Allāh's Messenger ﷺ said, "The lasting good deeds[1] are: (the saying of) 'Nothing deserves to be worshipped except Allāh; Allāh is free from every imperfection; Allāh is the Greatest; Praise be to Allāh; there is no might and no power except in Allāh.''' [Reported by An-Nasā'i. Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

(١٣٣٩) وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «البَاقِيَاتُ الصَّالِحَاتُ: لَا إِلَهَ إِلَّا اللَّهُ، وَسُبْحَانَ اللهِ، وَاللَّهُ أَكْبَرُ، وَالحَمْدُ لِلَّهِ، وَلَا حَوْلَ وَلَا قُوَّةَ إِلَّا بِاللهِ». أَخْرَجَهُ النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

1340. Narrated Samura bin Jundub ﷺ: Allāh's Messenger ﷺ said, "The most beloved words to Allāh are four. It does not matter which of them you begin with: 'Allāh is free from every imperfection; Praise be to Allāh; nothing deserves to be worshipped except Allāh; and Allāh is the Greatest.''' [Muslim reported it].

(١٣٤٠) وَعَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَحَبُّ الكَلَامِ إِلَى اللهِ أَرْبَعٌ، لَا يَضُرُّكَ بِأَيِّهِنَّ بَدَأْتَ: سُبْحَانَ اللهِ، وَالحَمْدُ للهِ، وَلَا إِلَهَ إِلَّا اللَّهُ، وَاللَّهُ أَكْبَرُ». أَخْرَجَهُ مُسْلِمٌ.

1341. Narrated Abū Mūsa Al-Ash'ar ﷺ: Allāh's Messenger ﷺ said to me, "O Abdullāh bin Qais, shall I not direct you to one of the treasures of Paradise?[2] : There is no might and no power except in Allāh." [Agreed upon]. An-Nasā'i added, "There is no refuge from Allāh except (by returning) to Him."

(١٣٤١) وَعَنْ أَبِي مُوسَى الأَشْعَرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ لِي رَسُولُ اللهِ ﷺ: «يَا عَبْدَ اللهِ بْنَ قَيْسٍ! أَلَا أَدُلُّكَ عَلَى كَنْزٍ مِنْ كُنُوزِ الجَنَّةِ؟ لَا حَوْلَ وَلَا قُوَّةَ إِلَّا بِاللهِ». مُتَّفَقٌ عَلَيْهِ. زَادَ النَّسَائِيُّ: «وَلَا مَلْجَأَ مِنَ اللهِ إِلَّا إِلَيْهِ».

1342. Narrated An-Nu'mān bin Bashir

(١٣٤٢) وَعَنِ النُّعْمَانِ بْنِ بَشِيرٍ رَضِيَ اللَّهُ

Duha (a time between sunrise and noon), he still found Juwairiya ﷺ engrossed in the remembrance of Allah. Thereupon, the Prophet ﷺ stated the above words. This *Hadīth* regards these words to be of an extremely lofty and virtuous import. It further elaborates that the reward of such unlimited repetition of words of remembrance shall be earned by reciting the words prescribed in this *Hadīth*. In the narration of Ibn 'Abbas, reported by Muslim, it is mentioned that the Prophet recited these four phrases three times each.

[1] Various explains suggest that the reward of all acts of obedience to Allah and good deeds, shall remain to the credit of the one who performs them. One of those deeds is the invocation of these five *Kalima* (words).

[2] It means that the reward for the recitation of these words is a valuable and precious reward kept stored with Allah in paradise, just as a treasure – the most precious of a person's wealth – is kept stored in a safe and secure place.

ﷺ: The Prophet ﷺ said, "Verily, supplication is worship."[1] [Reported by *Al-Arba'a* and At-Tirmidhi graded it *Sahih* (authentic)].

تَعَالَى عَنْهُمَا عَنِ النَّبِيِّ ﷺ قَالَ: «إِنَّ الدُّعَاءَ هُوَ العِبَادَةُ». رَوَاهُ الأَرْبَعَةُ وَصَحَّحَهُ التِّرْمِذِيُّ.

He (At-Tirmidhi) also reported from the *Hadith* of Anas ﷺ: attributing it to Allāh's Messenger ﷺ – with the wording: "Supplication is the essence of worship."

وَلَهُ مِنْ حَدِيثِ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، مَرْفُوعاً، بِلَفْظِ: «الدُّعَاءُ مُخُّ العِبَادَةِ».

He (At-Tirmidhi) also reported from the *Hadith* of Abū Huraira ﷺ: attributing it to Allāh's Messenger ﷺ that he said: "Nothing is more honorable before Allāh than supplication." [Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

وَلَهُ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، رَفَعَهُ: «لَيْسَ شَيْءٌ أَكْرَمَ عَلَى اللهِ مِنَ الدُّعَاءِ». وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

1343. Narrated Anas ﷺ: Allāh's Messenger ﷺ said, "Supplication between the *Adhān* and *Iqāma*[2] is not rejected." [An-Nasā'i and others reported it, and Ibn Hibbān and others graded it *Sahih* (authentic)].

(١٣٤٣) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الدُّعَاءُ بَيْنَ الأَذَانِ وَالإِقَامَةِ لَا يُرَدُّ». أَخْرَجَهُ النَّسَائِيُّ وَغَيْرُهُ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَغَيْرُهُ.

1344. Narrated Salmān ﷺ: Allāh's Messenger ﷺ said, "Indeed! Your *Rabb* is *Hayiy* (Shy) and *Karim* (Generous), and is ashamed to turn away empty the hands of a slave when he raises them[3] to Him." [Reported by *Al-Arba'a* except An-Nasā'i. Al-Hākim graded it *Sahih* (authentic)].

(١٣٤٤) وَعَنْ سَلْمَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ رَبَّكُمْ حَيِيٌّ كَرِيمٌ، يَسْتَحْيِي مِنْ عَبْدِهِ إِذَا رَفَعَ يَدَيْهِ إِلَيْهِ أَنْ يَرُدَّهُمَا صِفْراً». أَخْرَجَهُ الأَرْبَعَةُ إِلَّا النَّسَائِيَّ وَصَحَّحَهُ الحَاكِمُ.

1345. Narrated 'Umar ﷺ: Whenever Allāh's Messenger ﷺ raised his hands in supplication, he did not lower them till

(١٣٤٥) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا مَدَّ يَدَيْهِ فِي

[1] It means that supplication is a kind of worship. It may also mean that 'supplication' in the Verse "Supplicate Me and I will respond to you. Verily, those who scorn My worship, will surely enter Hell in humiliation" (*Surat Ghafir*, 40:60), here implies worship, i.e. "worship Me and I will respond to you..."

[2] We are thus informed that certain times are preferable for supplication, like in the middle of the night and after the obligatory prayers. People enquired of the Prophet ﷺ as to what should they ask for between the *Adhān* and *Iqāma*. The Prophet ﷺ stated that they should ask Allāh for their safety in their day-to-day worldly matters as well as the soundness of their Faith while pursuing their religious activities.

[3] This *Hadith* states that the raising of one's hands while making a supplication is *Mustahabb* (a commendable act).

he wiped his face with them.[1] [At-Tirmidhi reported it]. It has *Shawābid* (supporting narrations) such as The *Hadīth* of Ibn 'Abbās (ﷺ) reported by Abū Dā'ud and others. These narrations – considered as a group – warrant it being considered a *Hasan* (good) *Hadīth*.

الدُّعَاءِ لَمْ يَرُدَّهُمَا حَتَّى يَمْسَحَ بِهِمَا وَجْهَهُ. أَخْرَجَهُ التِّرْمِذِيُّ. وَلَهُ شَوَاهِدُ مِنْهَا حَدِيثُ ابْنِ عَبَّاسٍ عِنْدَ أَبِي دَاوُدَ وَغَيْرِهِ، وَمَجْمُوعُهَا يَقْتَضِي أَنَّهُ حَدِيثٌ حَسَنٌ.

1346. Narrated Ibn Mas'ūd ﷺ: Allāh's Messenger ﷺ said, "The people who have the most right over me (for intercession or nearness to me) on the Day of Resurrection, are those who are most in invoking *Salat* upon me [2] ." [At-Tirmidhi reported it, and Ibn Hibbān graded it *Sahih* (authentic)].

(١٣٤٦) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ أَوْلَى النَّاسِ بِي يَوْمَ القِيَامَةِ أَكْثَرُهُمْ عَلَيَّ صَلَاةً». أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

1347. Narrated Shaddād bin Aus ﷺ: Allāh's Messenger ﷺ said, "The most superior manner of asking for forgiveness[3] is for the servant to say: 'O Allāh, You are my *Rabb* (Lord). Nothing deserves to be worshipped except You, You have created me, and I am Your slave. I hold to Your covenant and promise as much as I can. I seek refuge in You from the evil of what I have done. I acknowledge before You Your favors upon me, and I confess to You my sins, so forgive me, since no one can forgive sins except You." [Al-Bukhāri reported it].

(١٣٤٧) وَعَنْ شَدَّادِ بْنِ أَوْسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «سَيِّدُ الاسْتِغْفَارِ أَنْ يَقُولَ العَبْدُ: اللَّهُمَّ! أَنْتَ رَبِّي، لَا إِلَهَ إِلَّا أَنْتَ، خَلَقْتَنِي، وَأَنَا عَبْدُكَ، وَأَنَا عَلَى عَهْدِكَ وَوَعْدِكَ مَا اسْتَطَعْتُ، أَعُوذُ بِكَ مِنْ شَرِّ مَا صَنَعْتُ، أَبُوءُ لَكَ بِنِعْمَتِكَ عَلَيَّ، وَأَبُوءُ لَكَ بِذَنْبِي، فَاغْفِرْ لِي، فَإِنَّهُ لَا يَغْفِرُ الذُّنُوبَ إِلَّا أَنْتَ». أَخْرَجَهُ البُخَارِيُّ.

1348. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ never failed to use these

(١٣٤٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: لَمْ يَكُنْ رَسُولُ اللهِ ﷺ يَدَعُ هٰؤُلَاءِ

[1] It thus becomes known that after completing one's supplication, one is advised to wipe his face with the palms of his hands. If we know that Allah does not turn one away empty handed, then it is as though His *Rahma* (mercy) has descended upon one's palms. It is thus fitting that this *Rahma* be transferred to the face, which is the noblest part of the body and the most entitled to be honored.

[2] We must know that invoking *Salat* upon the Prophet ﷺ is a supplication to Allāh to praise the Prophet ﷺ in the highest assembly of the angels, and it is an act of worship. The best words of invocation after *Lā ilaha illa-Allāh* is the noble act of sending *Salat* and *Salām* upon the Prophet ﷺ .

[3] Since this supplication of forgiveness epitomizes all the meaning and senses of repentance and forgiveness, it has been given the name of *Sayyidul-Istighfār* (the master supplication for seeking forgiveness).

words[1] in the evening and morning: "O Allāh, I ask You for *'Aafiyah* (well being) in my religion and my worldly affairs, in my family and my wealth; O Allāh, conceal my faults and keep me safe from the things which I fear; O Allāh, guard me from my front and from my back, and from my right hand side and from my left side, and from above me, and I seek refuge in Your Greatness from being swallowed up (by the earth) from below me." [An-Nasā'i and Ibn Mājah reported it, and Al-Hākim graded it *Sahih* (authentic)].

الكَلِمَاتِ، حِينَ يُمْسِي وَحِينَ يُصْبِحُ: «اللَّهُمَّ! إِنِّي أَسْأَلُكَ العَافِيَةَ فِي دِينِي وَدُنْيَايَ وَأَهْلِي وَمَالِي، اللَّهُمَّ اسْتُرْ عَوْرَاتِي، وَآمِنْ رَوْعَاتِي، وَاحْفَظْنِي مِنْ بَيْنِ يَدَيَّ، وَمِنْ خَلْفِي، وَعَنْ يَمِينِي، وَعَنْ شِمَالِي، وَمِنْ فَوْقِي، وَأَعُوذُ بِعَظَمَتِكَ أَنْ أُغْتَالَ مِنْ تَحْتِي». أَخْرَجَهُ النَّسَائِيُّ وَابْنُ مَاجَهْ، وَصَحَّحَهُ الحَاكِمُ.

1349. Narrated Ibn 'Umar ﷺ: Allāh's Messenger ﷺ used to supplicate: "O Allāh, I seek refuge in You from the decline of Your favor,[2] transforming of Your (favor) of well-being [to sickness], the sudden strike of Your vengeance and Your total wrath." [Muslim reported it].

(١٣٤٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَقُولُ: «اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنْ زَوَالِ نِعْمَتِكَ، وَتَحَوُّلِ عَافِيَتِكَ، وَفُجَاءَةِ نِقْمَتِكَ، وَجَمِيعِ سَخَطِكَ». أَخْرَجَهُ مُسْلِمٌ.

1350. Narrated 'Abdullāh bin 'Amr ﷺ: Allāh's Messenger ﷺ used to say: "O Allāh, I seek refuge in You from being overcome by debt, from being overpowered by the enemy,[3] and the malicious joy of the enemies (at an evil I am afflicted with)." [Reported by An-Nasā'i, and Al-Hākim graded it *Sahih* (authentic)].

(١٣٥٠) وَعَنْ عَبْدِ اللهِ بْنِ عَمْرٍو رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَقُولُ: «اللَّهُمَّ! إِنِّي أَعُوذُ بِكَ مِنْ غَلَبَةِ الدَّيْنِ، وَغَلَبَةِ العَدُوِّ، وَشَمَاتَةِ الأَعْدَاءِ». رَوَاهُ النَّسَائِيُّ، وَصَحَّحَهُ الحَاكِمُ.

[1] The *'Aafiyah* (well-being) in religion lies in avoiding sin and innovation, or taking lightly one's obligatory duties or failing to perform them totally. *'Aafiyah* in one's family lies in being saved from bad marital relations, sickness and disease, and the excessive requests for worldly pleasures. *'Aafiyah* in wealth lies in it being saved from that which destroys it. In this *Hadīth*, Allāh's protection has been solicited from the harms that may inflict a person from all of the six directions, since a man is always surrounded by his enemies – devils from among the humans and the jinns. He is like a sheep among wolves; if he doesn't have a protector from Allah, then he has no power to protect himself.

[2] The favors of Allah are destroyed by one's sins. In other words, this supplication is being made to Allāh by supplicating Him with these words: "O Allāh! We hereby seek Your protection from (the effects and consequences of) our bad deeds." This supplication was devised for the sole purpose of educating the *Ummah* (followers) since the Prophet ﷺ is free from sins.

[3] Being overcome by debt means that a person becomes incapable of paying up his debts and this situation occurs when a person no longer harbors any intention of paying it at all.

1351. Narrated Buraida ﷺ: The Prophet ﷺ heard a man saying, "O Allāh, I ask You by virtue of the fact that I testify that You are Allāh; nothing deserves to be worshipped except You, the Unique – the Self-Sufficient Master, Who did not beget and was not begotten, and to Whom no one is equal." Allāh's Messenger ﷺ then said, "He has asked Allāh by His Name by which when asked, He gives,[1] and by which when supplicated, He answers." [*Al-Arba'a* reported it, and Ibn Hibbān graded it *Sahih* (authentic)].

(١٣٥١) وَعَنْ بُرَيْدَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعَ النَّبِيُّ ﷺ رَجُلاً يَقُولُ: اللَّهُمَّ! إِنِّي أَسْأَلُكَ بِأَنِّي أَشْهَدُ أَنَّكَ أَنْتَ اللَّهُ، لَا إِلٰهَ إِلَّا أَنْتَ، الأَحَدُ الصَّمَدُ، الَّذِي لَمْ يَلِدْ وَلَمْ يُولَدْ، وَلَمْ يَكُنْ لَهُ كُفُواً أَحَدٌ. فَقَالَ: «لَقَدْ سَأَلَ اللَّهَ بِاسْمِهِ الَّذِي إِذَا سُئِلَ بِهِ أَعْطَى، وَإِذَا دُعِيَ بِهِ أَجَابَ». أَخْرَجَهُ الأَرْبَعَةُ وَصَحَّحَهُ ابْنُ حِبَّانَ.

1352. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ would say in the morning: "O Allāh, by (permission from) You we reach the morning, by You we reach the evening, by You we live, by You we die,[2] and to You is the resurrection (*Nushur*)." In the evening he would say the same except for the last phrase: "And to You is the end (*Masīr*)." [*Al-Arba'a* reported it].

(١٣٥٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ: إِذَا أَصْبَحَ، يَقُولُ: «اللَّهُمَّ! بِكَ أَصْبَحْنَا، وَبِكَ أَمْسَيْنَا، وَبِكَ نَحْيَا، وَبِكَ نَمُوتُ، وَإِلَيْكَ النُّشُورُ». وَإِذَا أَمْسَى قَالَ مِثْلَ ذٰلِكَ، إِلَّا أَنَّهُ قَالَ: «وَإِلَيْكَ المَصِيرُ». أَخْرَجَهُ الأَرْبَعَةُ.

1353. Narrated Anas ﷺ: The most frequent supplication of Allāh's Messenger ﷺ was: "Our *Rabb* (Lord), give us good in this world and good in the Hereafter,[3] and protect us from

(١٣٥٣) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ أَكْثَرُ دُعَاءِ رَسُولِ اللهِ ﷺ: «رَبَّنَا آتِنَا فِي الدُّنْيَا حَسَنَةً، وَفِي الآخِرَةِ حَسَنَةً، وَقِنَا عَذَابَ النَّارِ». مُتَّفَقٌ عَلَيْهِ.

Whoever makes a sincere effort to pay his debts, Allāh will certainly assist him in accomplishing this by giving him solvency [as mentioned in a *Hadith* reported by Al-Bukhari]. The overpowering of an enemy is that a man finds himself incapable of even avenging himself against a tyrant or a transgressor who has wronged him.

[1] In Arabic, *Su'āl* (asking) denotes asking for a specific thing, whereas *Du'a* (supplication) is more general. Also, when asking Allah for something, one must use the same words, found in this *Hadith*, which have been accorded the privilege of acceptance.

[2] It is said that 'sleep is the sister of death', due to the obvious relationship between these two states. Whenever someone falls asleep, it is as though he is returning his soul to its origin. Hence, the Arabic word *Masīr* (destination, end) has been used in this *Hadith* ['to You is the end'] for one who is preparing to sleep. Likewise, when someone gets up from sleep, it is as if he regains life from a state of death. Hence, the Arabic word *Nushūr* (resurrection) has been used in this *Hadith* ['to You is the resurrection'] for one who is awakening from sleep.

[3] The 'good' of this world includes virtuous deeds, a righteous spouse, pious progeny, spacious and abundant livelihood and useful knowledge, etc. The good of the Hereafter is entering Paradise, and its other related factors like, being free from tension, easiness in the

the punishment of the Fire.''[1] [Agreed upon].

1354. Narrated Abū Mūsa Al-Ash'ari ﷺ: The Prophet ﷺ used to supplicate: "O Allāh, forgive me my sins, my ignorance, my extravagance in my affairs, and what You know better than I do. O Allāh, forgive me (what I have done in) my seriousness and joking, (what I have done) unintentionally and intentionally, for I am guilty of all that. O Allāh, forgive me (what I have done) in the past and (what I will do in) the future, what I have kept secret and what I have done openly, and what You know better than I do. You are the Advancer (if You Grant Success), You are the One Who Delays (if You abandon anyone), and You have Power over everything." [Agreed upon].

(١٣٥٤) وَعَنْ أَبِي مُوسَى الأَشْعَرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ يَدْعُو «اللَّهُمَّ اغْفِرْ لِي خَطِيئَتِي وَجَهْلِي وَإِسْرَافِي فِي أَمْرِي، وَمَا أَنْتَ أَعْلَمُ بِهِ مِنِّي، اللَّهُمَّ اغْفِرْ لِي جِدِّي وَهَزْلِي، وَخَطَئِي وَعَمْدِي، وَكُلُّ ذَلِكَ عِنْدِي، اللَّهُمَّ اغْفِرْ لِي مَا قَدَّمْتُ، وَمَا أَخَّرْتُ، وَمَا أَسْرَرْتُ، وَمَا أَعْلَنْتُ، وَمَا أَنْتَ أَعْلَمُ بِهِ مِنِّي، أَنْتَ المُقَدِّمُ، وَأَنْتَ المُؤَخِّرُ، وَأَنْتَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ». مُتَّفَقٌ عَلَيْهِ.

1355. Narrated Abū Huraira ﷺ: Allāh's Messenger ﷺ used to say: "O Allāh, set right for me my religion which is the safeguard of my affairs; set right for me my worldly affairs in which is my livelihood, set right for me my Hereafter to which will be my return; make life for me a means of increase in all that is good; and make death a rest for me from every evil."[2] [Muslim reported it].

(١٣٥٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَقُولُ: «اللَّهُمَّ! أَصْلِحْ لِي دِينِيَ الَّذِي هُوَ عِصْمَةُ أَمْرِي، وَأَصْلِحْ لِي دُنْيَايَ الَّتِي فِيهَا مَعَاشِي، وَأَصْلِحْ لِي آخِرَتِيَ الَّتِي إِلَيْهَا مَعَادِي، وَاجْعَلِ الحَيَاةَ زِيَادَةً لِي فِي كُلِّ خَيْرٍ، وَاجْعَلِ المَوْتَ رَاحَةً لِي مِنْ كُلِّ شَرٍّ». أَخْرَجَهُ مُسْلِمٌ.

1356. Narrated Anas ﷺ: Allāh's Messenger ﷺ used to say: "O Allāh, grant me benefit in what You have taught me, teach me what will benefit

(١٣٥٦) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَقُولُ: «اللَّهُمَّ انْفَعْنِي

process of accountability and being saved from the torment of Hell-fire. A *Hadīth* narrated by Abū Huraira رضي الله عنه has it that if a man asks for Allāh's protection from Hell seven times, the Hell itself supplicates to Allāh by saying, "Your such and such slave is seeking Your protection from me and therefore You must grant him Your protection."

[1] *Sūrat Al-Baqarah*, 2:201.

[2] In this invocation, the good things of both the worlds have been solicited. It does not suggest that one should ask for his own death. It merely expresses a desire that whenever death occurs, it should be a cause to provide a blissful peace and an eternal rest, from every evil – before death (in this world) and after it (in the grave).

me, and provide me with knowledge which will benefit[1] me." [Reported by An-Nasā'i and Al-Hākim].

بِمَا عَلَّمْتَنِي، وَعَلِّمْنِي مَا يَنْفَعُنِي، وَارْزُقْنِي عِلْماً يَنْفَعُنِي». رَوَاهُ النَّسَائِيُّ وَالحَاكِمُ.

At-Tirmidhi reported something similar from the *Hadīth* of Abū Huraira ؓ, he said in its end: "And increase me in knowledge. Praise be to Allāh in every circumstance, and I seek refuge in Allāh from the condition of the people of the Hell-Fire." [Its chain of narrators is *Hasan* (good)].

وَلِلتِّرْمِذِيِّ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ نَحْوُهُ، وَقَالَ فِي آخِرِهِ: «وَزِدْنِي عِلْماً. اَلْحَمْدُ للهِ عَلَىٰ كُلِّ حَالٍ، وَأَعُوذُ بِاللهِ مِنْ حَالِ أَهْلِ النَّارِ». وَإِسْنَادُهُ حَسَنٌ.

1357. Narrated 'Aisha ؓا: The Prophet ﷺ taught her this supplication: "O Allāh, I ask You for every good, at present and later, what I have known of it and what I have not; I seek refuge in You from every evil, at present and later, what I have known of it and what I have not. O Allāh, I ask You for the best of what Your slave and Prophet has asked You, and seek refuge in You from the worst of what Your slave and Prophet has sought refuge from. O Allāh I ask You for Paradise and whatever brings one near to it of speech or deed, and seek refuge in You from Hell and whatever brings one near to it of speech or deed. And I ask You to make every decree You have decreed for me to be good." [Reported by Ibn Mājah. Ibn Hibbān and Al-Hākim graded it *Sahih* (authentic)].

(١٣٥٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ عَلَّمَهَا هٰذَا الدُّعَاءَ: «اللَّهُمَّ! إِنِّي أَسْأَلُكَ مِنَ الخَيْرِ كُلِّهِ، عَاجِلِهِ وَآجِلِهِ، مَا عَلِمْتُ مِنْهُ وَمَا لَمْ أَعْلَمْ، وَأَعُوذُ بِكَ مِنَ الشَّرِّ كُلِّهِ عَاجِلِهِ وَآجِلِهِ، مَا عَلِمْتُ مِنْهُ وَمَا لَمْ أَعْلَمْ، اللَّهُمَّ! إِنِّي أَسْأَلُكَ مِنْ خَيْرِ مَا سَأَلَكَ عَبْدُكَ وَنَبِيُّكَ، وَأَعُوذُ بِكَ مِنْ شَرِّ مَا عَاذَ مِنْهُ عَبْدُكَ وَنَبِيُّكَ، اللَّهُمَّ! إِنِّي أَسْأَلُكَ الجَنَّةَ، وَمَا قَرَّبَ إِلَيْهَا مِنْ قَوْلٍ أَوْ عَمَلٍ، وَأَعُوذُ بِكَ مِنَ النَّارِ، وَمَا قَرَّبَ إِلَيْهَا مِنْ قَوْلٍ أَوْ عَمَلٍ، وَأَسْأَلُكَ أَنْ تَجْعَلَ كُلَّ قَضَاءٍ قَضَيْتَهُ لِي خَيْراً». أَخْرَجَهُ ابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالحَاكِمُ.

1358. The two *Shaykhs* [Al-Bukhāri and Muslim], reported this *Hadīth* from Abū Huraira ؓ: Allāh's Messenger ﷺ said, "Two words (expressions) which are beloved to the Compassionate One (Allah) and are light on the tongue but heavy on the scales are: 'O How Perfect is Allāh, and praise be to Him; O How Perfect is Allāh, the Supreme.'"[2]

(١٣٥٨) وَأَخْرَجَ الشَّيْخَانِ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «كَلِمَتَانِ حَبِيبَتَانِ إِلَى الرَّحْمٰنِ، خَفِيفَتَانِ عَلَى اللِّسَانِ، ثَقِيلَتَانِ فِي المِيزَانِ: سُبْحَانَ اللهِ وَبِحَمْدِهِ سُبْحَانَ اللهِ العَظِيمِ».

[1] This *Hadīth* enlightens us that we should ask Allāh for useful knowledge. Similarly, we should ask Allāh's protection from the useless knowledge. Useless knowledge is that which does not bring one benefit in the Hereafter.

[2] Imām Bukhāri concluded *Sahih Al-Bukhāri* by quoting this *Hadīth*. Following his example,

قَالَ مُصَنِّفُهُ - الشَّيْخُ الإِمَامُ العَالِمُ العَامِلُ العَلَّامَةُ قَاضِي القُضَاةِ شَيْخُ الإِسْلَامِ أَمْتَعَ اللَّهُ بِوُجُودِهِ الأَنَامَ - فَرَغَ مِنْهُ مُلَخِّصُهُ أَحْمَدُ بْنُ عَلِيِّ بْنِ مُحَمَّدِ بْنِ حَجَرٍ فِي حَادِيَ عَشَرَ شَهْرِ رَبِيعٍ الأَوَّلِ سَنَةَ ثَمَانٍ وَعِشْرِينَ وَثَمَانِمِائَةٍ، حَامِداً للهِ تَعَالَىٰ وَمُصَلِّياً عَلَىٰ رَسُولِهِ ﷺ وَمُكَرِّماً وَمُبَجِّلاً وَمُعَظِّماً.

[The author – *Ash-Shaykh, Al-Imām, Al-'Aalim, Al-'Aamil, Al-'Allāmah, Qādi Al-Qudāt, Shaykhul-Islam* – May Allah grant humanity pleasure by his presence – said: "The one who summarized it, Ahmad bin Ali bin Muhammad bin Hajar Al-Asqalāni, finished this book on 11th Rabi-ul-Awwal 828 H., praising Allah, the Most High, and asking for *Salat* (praise by Allah in the highest assemblies of the angels) on His Messenger, ﷺ and honor, respect and exaltation.]

many of the authors and compilers have concluded their books by mentioning this *Hadīth*. This *Hadīth* proves the existence of *Mizān* (the scales for measuring deeds on the Day of Judgement) as mentioned clearly in the noble Qur'ān. There is a difference of opinion among the scholars in regard to the nature and condition of things thus weighed and measured on the pair of scales. Some of the scholars hold that the Records of Deeds themselves shall be measured, as proven by the *Hadith* of the '*Bitāqa*' reported by Ahmad, At-Tirmidhi, Ibn Majah and others. [*Silsilah Ahādith As-Sahihah*, 1/212, no. 135]. Other scholars hold the view that each action has a definite shape and thus every deed shall be measured individually in its very shape (appearance), as proven by the final *Hadith* of Bulugh Al-Maram (no. 1358). This *Hadīth* informs us about the vastness of Allāh's Mercy, that He generously gives away a great amount of rewards for actions which are relatively small and negligible. The fact is that Allāh's Mercy is all-encompassing, to the extent that the people are often forgiven under one pretext or another. Oh my All-Forgiving and All-Merciful *Rabb*! Arrange the means of deliverance from the unseen for this delinquent slave of Yours and accept him for Your forgiveness by Your sheer mercy. *Amīn*. Oh You the Cherisher of the worlds. Oh Allāh! Forgive the sins of the writer of this book!

GLOSSARY

'Abd: (العبد) A male slave, a slave of Allāh.

'Ād: (عاد) An ancient tribe that lived after Nūh (Noah). It was prosperous, but disobedient to Allāh, so Allāh destroyed it with a violent destructive westerly wind.

Adhān: (الأذان) The call to *Salāt* (prayer) pronounced loudly to indicate that the time of praying is due. And it is as follows: *Allāhu Akbar, Allāhu-Akbar; Allāhu-Akbar, Allāhu-Akbar; Ash-hadu an lā ilāha illallāh, Ash-hadu an lā ilāha ill-allāh; Ash-hadu anna Muhammadan Rasūl-Ullāh, Ash-hadu anna Muhammadan Rasūl-Ullāh; Hayya 'alas-Salāh, Hayya'alas-Salāh; Haiya 'alal-Falāh, Hayya 'alal-Falāh; Allāhu-Akbar, Allāhu-Akbar; Lā ilāha illallāh.* (See *Sahīh Al-Bukhāri,* The Book of *Adhān).*

Ahkām: (الأحكام) "Legal status". According to Islamic law, there are five kinds of *Ahkām:*

1. Compulsory (*Wājib* الواجب)
2. Desirable but not compulsory (*Mustahab* المستحب)
3. Forbidden (*Muharram* المحرم)
4. Disliked but not forbidden (*Makrūh* المكروه)
5. Lawful and allowed (*Halāl* الحلال)

Al-Ahzāb: (الأحزاب) The Confederates. The term is used for the disbelievers of Quraish and the Jews residing at Al-Madīnah and some other Arab tribes who invaded the Muslims of Al-Madīnah but were forced to withdraw.

'Ajwah: (العجوة) A kind of dates.

Ālim: (العالم) A knowledgeable person or a religious scholar in Islam.

Allāhu Akbar: (الله أكبر) Allāh is the Most Great.

'Amah: (الأمة) A female slave.

Al-'Amānah: (الأمانة) The trust or the moral responsibility or honesty, and all the duties which Allāh has ordained.

Āmīn: (آمين) O Allāh, accept our invocation.

Amma Ba'du: (أما بعد) An expression used for separating the introductory part from the main topics in a speech; the introductory being usually concerned with Allāh's Praises and Glorification. Literally it means, "whatever comes after." It is generally translated as "then after" or "to proceed."

Ansār: (الأنصار) The Companions of the Prophet ﷺ from the inhabitants of Al-Madīnah, who embraced Islam and supported it and who received and entertained the Muslim emigrants from Makkah and other places.

Al-'Aqīq: (العقيق) A valley in Al-Madīnah about seven kilometers west of Al-Madīnah.

'Aqīqah: (العقيقة) It is the sacrificing of one or two sheep on the

	occasion of the birth of a child, as a token of gratitude to Allāh. (See *Sahīh Al-Bukhāri, 'The Book of 'Aqīqah*).
'Aqrā Halqā:	(عقرى حلقى) It is an exclamatory expression. It expresses disapproval.
'Arafah (day of):	(عرفة) The ninth day of the month Dhul-Hijjah, on which the pilgrims stay in the Arafāt plain till sunset.
'Arafāt:	(عرفات) A famous place of pilgrimage on the southeast of Makkah about twenty-five kilometers from it.
Arāk:	(الأراك) A tree from which *Siwāk* (سواك) (tooth brush) is made.
Al-Arba'ah:	(الأربعة) The four compilers of *Ahadith* — Abu Dāwūd, Nasā'i, Tirmidhi and Ibn Mājah.
'Asabah:	(العصبة) All male relatives of a deceased person from the father's side.
Ashāb As-Suffah:	(أصحاب الصفة) They were about eighty or more men who used to stay and have religious teachings in the Prophet's Mosque in Al-Madīnah, and they were very poor people.
Ashāb As-Sunan:	(أصحاب السنن) The compilers of the prophetic *Ahadith* on Islamic jurisprudence.
'Ashūra:	(العاشوراء) The 10th of the month of Muharram (the first month in the Islamic calendar).
'Asr:	(العصر) Afternoon, *'Asr* prayer time.
'Aurah:	(العورة) That part of the body which is illegal to expose to others.
Awsuq:	(أوسق) Plural of *Wasq*, which is a measure equal to 60 *Sā'* = 135 kgms. (approx). It may be less or more.
Āyāt:	(الآيات) Proofs, evidences, verses, lessons, signs, revelations, etc.
Ayatul-Kursi:	(آية الكرسي) Qur'ānic Verse no. 255 of *Sūrat Al-Baqarah.*
Ayyām At-Tashriq:	(أيام التشريق) It is a term used for the eleventh, twelfth and thirteenth of Dhul-Hijjah.
Ayyim:	(الأيم) A woman who already has had a sexual experience; she may be a widow or a divorcee.
'Azl:	(العزل) Coitus interruptus, i.e., pulling out the penis from vagina at the time of ejaculation of semen for the purpose of birth control.
Azlām:	(الأزلام) Literally means "arrows". Here it means arrows used to seek good luck or a decision, practised by the 'Arabs of Pre-Islamic Period of Ignorance.
Badanah:	(بدنة) (Plural: *Budn*). A camel or a cow or an ox driven to be offered as a sacrifice, by the pilgrims at the sanctuary of Makkah.
Badr:	(بدر) A place about 150 kilometers to the south of Al-Madīnah, where the first great battle in Islamic history took place between the early Muslims and the infidels of Quraish.

Al-Bahīra: (البحيرة) A milking she-camel, whose milk used to be spared for idols and other false deities.

Bai'a: (البيعة) A pledge given by the citizens to their *Imām* (Muslim ruler) to be obedient to him according to the Islamic religion.

Al-Baitul-Ma'mūr: (البيت المعمور) Allāh's House over the seventh heaven.

Baitul-Maqdis: (بيت المقدس) *Bait* literally means 'House': a mosque is frequently called *Baitullāh* (the House of Allāh). Bait-ul-Maqdis is the famous mosque in Jerusalem which is regarded as the third sacred mosque in Islam, the first and second being *Al-Masjid-al-Harām* at Makkah and the mosque of the Prophet ﷺ at Al-Madīnah, respectively.

Baitul-Midras: (بيت المدراس) A place in Al-Madīnah (and it was a Jewish centre).

Bai'atur-Ridwān: (بيعة الرضوان) The oath and pledge taken by the *Sahāba* at Al-Hudaibiyyah in the year 6 H to fight Quraish in case they harmed 'Uthmān رضي الله عنه who had gone to negotiate with them and reported to have been taken captive.

Banū Al-Asfar: (بنو الأصفر) The Byzantines.

Baqī': (البقيع) The cemetery of the people of Al-Madīnah; many of the Companions of the Prophet ﷺ are buried in it.

Barr: (البر) Pious.

Bid'ah: (البدعة) Any innovated practice in religion.

Bint Labūn: (بنت لبون) A two-year-old she-camel.

Bint Makhād: (بنت مخاض) One-year-old she-camel.

Burāq: (براق) An animal bigger than a donkey and smaller than a horse on which the Prophet ﷺ went for the *Mi'rāj*. (The Ascent of the Prophet ﷺ to the heavens.)

Daiyyān: (الديان) Allāh; it literally means the One Who judges people from their deeds after calling them to account.

Dajjāl: (الدجال) Pseudo Messiah (*Al-Masīh-ad-Dajjāl*) or Antichrist. Literally a liar, quack, deceiver. (See the footnote of V.6:158 the Qur'ān and also *Hadīth* no.3441 and 3439, *Sahih Al-Bukhāri*).

Dāniq: (دانق) A coin equal to one-sixth of a Dirham.

Dār-al-Qadā': (دار القضاء) Justice House (court).

Dhāt-'Irq: (ذات عرق) *Miqāt* for the pilgrims coming from Iraq.

Dhātun-Nitāqain: (ذات النطاقين) Asmā', the daughter of Abū Bakr رضي الله عنهما. It literally means a woman with two belts. She was named so by the Prophet ﷺ.

Dhawul-Arhām: (ذوو الأرحام) Relatives on the maternal side.

Dhimmī: (الذمي) A non-Muslim living under the protection of an Islamic government.

Dhul-Farā'id: (ذوالفرائض) Those persons whose share of inheritance is described in the Qur'ān are called *Dhul-Farā'id*, and the

rest are *Asabab* (العصبة).

Dhul-Hijjah: (ذوالحجة) The twelfth month in the Islamic calendar.

Dhul-Hulaifa: (ذوالحليفة) The *Mīqāt* of the people of Al-Madīnah now called 'Abyār 'Alī.

Dhul-Khalasa: (ذوالخلصة) Al-Ka'bah Al-Yamaniyah. (A house in Yemen where idols used to be worshipped. It belonged to the tribe of Khath'am and Bujailah).

Dhul-Qa'da: (ذوالقعدة) The eleventh month of the Islamic calendar.

Dhul-Qarnain: (ذوالقرنين) A great ruler in the past who ruled all over the world, and was a true believer. His story is mentioned in the Qur'ān. (V.18:83)

Dhū-Mahram: (ذو محرم) A man, whom a woman can never marry because of close relationship (e.g. a brother, a father, an uncle); or her own husband.

Dhū-Tuwa: (ذو طوى) It is one of the valleys (districts) of Makkah and there is a well-known well in it. In the lifetime of the Prophet ﷺ Makkah was a small city and this well was outside its precincts. Nowadays Makkah is a larger city and the well is within its boundaries.

Dībāj: (الديباج) Pure silk cloth.

Dīnār: (الدينار) An ancient gold coin.

Dirham: (الدرهم) A silver coin weighing 50 grains of barley with cut ends. It is equal to 1/12 of one *Uqiyyah* of gold in value.

Diya: (الدية) (Plural: *Dīyāt*) Blood money (for wounds, killing etc.), as compensation paid by the killer to the relatives of the victim (in unintentional cases).

Duha: (الضحى) Forenoon.

Fadak: (فدك) A town near Al-Madīnah.

Fāhish: (الفاحش) One who talks evil.

Fai': (الفيء) War booty gained without fighting.

Fajr: (الفجر) Dawn or early morning before sunrise, or morning *Salāt* (prayer).

Faqīh: (الفقيه) A learned man who can give religious verdicts.

Farā'id: (الفرائض) Shares fixed for the relatives of a deceased. Such shares are prescribed in the Qur'ān (1/2, 1/4, 1/3, 1/6 1/8, 2/3). [V.4:11, 12, 176]

Fard 'Ain: (فرض العين) It is an individual duty – an obligation essentially to be performed by each individual.

Fard Kifāyah: (فرض الكفاية) It is a collective duty – an obligation which, if performed by one person, suffices for the rest; as it does not have to be performed essentially by all.

Farīdah: (الفريضة) (Plural: *Farā'id*) An enjoined duty.

Fatāt: (الفتاة) A female slave or a young lady.

Al-Fātihah: (الفاتحة) The first *Sūrah* in the Qur'ān.

Fidyah: (الفدية) Compensation for a missed or wrongly practised religious obligation (like in *Hajj*), usually in the form of

money or foodstuff or offering (animal by slaughtering it).

Fiqh: (الفقه) Islamic jurisprudence.

Al-Firdaus: (الفردوس) The middle and the highest part of Paradise.

Fitnah: (الفتنة) (Plural: ***Fitan***) Trials, persecution, mischief, confusion in the religion, conflicts and strifes among the Muslims.

Ghairah: (الغيرة) This word covers a wide meaning : jealousy as regards women, and also it is a feeling of great fury and anger when one's honour and prestige is injured or challenged.

Ghāzī: (الغازي) A Muslim fighter returning after participation in ***Jihād*** (Islamic holy fighting).

Ghazwah: (الغزوة) (Plural: ***Ghazawāt***). A holy battle or fighting in the Cause of Allāh consisting of a large army unit with the Prophet ﷺ himself leading the army.

Ghazwatul-Khandaq: (غزوة الخندق) The name of a battle between the early Muslims and the infidels in which the Muslims dug a ***Khandaq*** (trench) round Al-Madīnah to prevent any advance by the enemies.

Ghulūl: (الغلول) Stealing from the war booty before its distribution.

Ghuraf: (الغرف) Special abodes.

Al-Ghurrul-Muhajjalūn: (الغر المحجلون) A name that will be given on the Day of Resurrection to the Muslims because the parts of their bodies which they used to wash in ablution will shine then.

Ghusl: (الغسل) A ceremonial bath. This is necessary for one who is ***Junub,*** and also on other occasions. This expression 'taking a bath' is used with the special meaning of ***Ghusl*** mentioned here.

Habalul-Habala: (حبل الحبلة) There were two forms of this trade called ***Habalul-Habalah***. The example of first form is that to buy an offspring of an animal which itself is yet to be born by making the payment in advance. Second form is to sell an animal on condition to have the offspring of the sold animal. Both forms of this kind of transaction are prohibited.

Al-Hadath Al-Akbar: (الحدث الأكبر) State of uncleanliness because of sexual discharge.

Al-Hadath Al-Asghar: (الحدث الأصغر) Passing wind or urine or answering the call of nature.

Hadīth: (الحديث) (Plural: ***Ahadith*** أحاديث). The sayings, deeds and approvals accurately narrated from the Prophet ﷺ.

Hady: (الهدي) An animal (a camel, a cow, a sheep or a goat) offered as a sacrifice by the pilgrims.

Hajj: (الحج) Pilgrimage to Makkah.

Al-Hajj-al-Akbar: (الحج الأكبر) The day of ***Nahr*** (i.e the 10th of Dhul-Hijjah).

Al-Hajjal-Asghar: (الحج الأصغر) *'Umrah*.

Hajjal-Ifrād: (حج الإفراد) In it a pilgrim enters in the state of *Ihrām* with the intention of performing *Hajj* only.

Hajjal-Qirān: (حج القران) In it a pilgrim enters in the state of *Ihrām* with the intention of performing *Umrah* and *Hajj* together.

Hajjat-Tamattu': (حج التمتع) In it a pilgrim enters in the state of *Ihrām* with the intention of performing *Umrah,* and then after performing *Tawāf* and *Sa'y,* he comes out of his *Ihrām.* With the commencement of *Hajj* days, he enters in the state of *Ihrām* again and performs *Hajj.*

Hajjatul-Wadā': (حجة الوداع) The last *Hajj* of the Prophet ﷺ the year before he died.

Hajj Mabrūr: (الحج المبرور) *Hajj* accepted by Allāh for being perfectly performed according to the Prophet's *Sunnah* and with legally earned money.

Halāl: (الحلال) Lawful.

Hanīf: (الحنيف) Pure Islamic Monotheism (worshipping Allāh Alone and nothing else).

Hantāh: (هنتاه) An expression used when you don't want to call somebody by her name. (It is used for calling a female).

Harām: (الحرام) Unlawful, forbidden and punishable from the viewpoint of religion.

Haram: (الحرم) Sanctuaries of Makkah and Al-Madīnah.

Harbah: (الحربة) A short spear.

Harj: (الهرج) Killing.

Harrah: (الحرة) A well-known rocky place in Al-Madīnah covered with black stones.

Al-Harūriyyah: (الحرورية) A special unorthodox religious sect.

Al-Hasbā': (الحصباء) A place outside Makkah where pilgrims go after finishing all the ceremonies of *Hajj*.

Hawālah: (الحوالة) The transference of a debt from one person to another. It is an agreement whereby a debtor is released from a debt by another becoming responsible for it.

Hawāzin: (الهوازن) A tribe of Quraish.

Hayā': (الحياء) This term covers a large number of concepts. It may mean 'modesty', 'self-respect', 'bashfulness', 'honour', etc. *Hayā'* is of two kinds: good and bad; the good *Hayā'* is to be ashamed to commit a crime or a thing which Allāh عز وجل and His Messenger ﷺ has forbidden, and bad *Hayā'* is to be ashamed to do a thing, which Allāh and His Messenger ﷺ ordered to do. (See *Sahīh Al-Bukhāri, Hadīth* no. 9).

Hibah: (الهبة) It means to present something to someone as a gift for Allāh's sake.

Al-Hidanah: (الحضانة) The nursing and caretaking of children.

Hijāb: (الحجاب) A long dress prescribed for Muslim women to

cover their whole body from head to feet.

Al-Hijr: (الحجر) The unroofed portion of the Ka'bah which at present is in the form of a compound towards the north of the Ka'bah.

Hijrah: (الهجرة) Literally it means 'migration'. This term is used for: (i) the migration of Muslims from an enemy land to a secure place for religious causes, (ii) the first Muslims migration from Makkah to Abyssinia (Ethiopia) and later to Al-Madīnah, (iii) the Prophet's migration journey from Makkah to Al-Madīnah, and (iv) the Islamic calendar year which started from the Prophet's migration journey from Makkah to Al-Madīnah.

Hilāb: (حلاب) A kind of scent.

Hima: (الحمى) A private pasture.

Himyān: (حميان) A kind of belt, part of which serves as a purse to keep money in it.

Hinnā': (الحناء) (Henna) A kind of plant used for dyeing hair etc.

Hiqqah: (الحقة) A three-year-old she-camel.

Hirā': (الحراء) A well-known cave in a mountain near Makkah.

Hubal: (هبل) The name of an idol in the Ka'bah in the Pre-Islamic Period of Ignorance.

Hublā: (الحبلى) A kind of desert tree.

Hudā: (الحداء) Chanting of camel-drivers keeping time of camel's walk.

Al-Hudaibiyyah: (الحديبية) A well-known place about 16 kilometers from Makkah on the way to Jeddah. At this place a treaty was made in 6 H. between the Prophet ﷺ and the Quraish who stopped him and his Companions from performing *'Umrah*.

Hudūd: (الحدود) (Plural of *Hadd*) Allāh's boundary limits for *Halāl* (lawful) and *Harām* (unlawful).

Hujrah: (الحجرة) Courtyard or a room.

Hukm: (الحكم) A judgement of legal decision (especially of Allāh)

Hums: (حمس) The tribe of Quraish, their offspring and their allies were called *Hums*. This word implies enthusiasm and strictness. The *Hums* used to say, "We are the people of Allāh and we shall not go out of the sanctuary of Makkah." They thought themselves superior to the other people.

Hunain: (الحنين) A valley between Makkah and Tā'if where the battle took place between the Prophet ﷺ and Quraish pagans.

Hūr: (الحور) Very fair females created by Allāh as such not from the offspring of Adam, with intense black irises of their eyes and intense white scleras. [For details see the book *Hādi Al-Arwah* by Ibn Al-Qayyim, Chapter 54].

'Īdal-Adha: (عيد الأضحى) The four days' festival of Muslims starting on

	the tenth day of Dhul-Hijjah (month).
'Īd-al-Fitr:	(عيد الفطر) The three days' festival of Muslims starting from the first day of Shawwāl, the month that follows Ramadān. *Fitr* literally means 'breaking the *Saum* (fast).' Muslims observe *Saum* (fast) the whole of Ramadān, the ninth month of the Islamic calendar and when Shawwāl comes, they break their *Saum* (fast) .
'Iddah:	(العدة) Allāh's prescribed waiting period for a woman after divorce or death of her husband, after the expiry of which she can remarry another person. (See the Qur'ān, *Sūrat* 65).
Idhkhir:	(الإذخر) It is a kind of grass which is used in the process of melting of the metals. The same is laid down on the roofs and floors of houses, and is also used in spreading in the graves.
Iftār:	(الإفطار) The opposite of *Saum* (fasting), (breaking the fast).
Al-Ihdād:	(الإحداد) Mourning for a deceased husband.
Ihrām:	(الإحرام) A state in which one is prohibited to practise certain deeds that are lawful at other times. The duties of *'Umrah* and *Hajj* are performed during such state. When one assumes this state, the first thing one should do is to express mentally and orally one's intention to assume this state for the purpose of performing *Hajj* or *'Umrah*. Then *Talbiyah* is recited, two sheets of unstitched clothes are the only clothes one wears, (1) *Izār:* worn below one's waist; and the other (2) *Ridā':* worn round the upper part of the body.
Ihsān:	(الإحسان) The highest level of deeds and worship, (perfection i.e. when you worship Allāh or do deeds, consider yourself as if you see Him and if you cannot achieve this feeling or attitude, then you must bear in mind that He sees you).
Al-Ihtibā':	(الاحتباء) A sitting posture, putting one's arms around one's legs while sitting on the hips.
'Ilā':	(الإيلاء) The oath taken by a husband that he would not approach his wife for a certain period.
Iliyā':	(إيلياء) Jerusalem.
Imām:	(الإمام) The person who leads others in the *Salāt* (prayer) or the Muslim caliph (or ruler).
Imān:	(الإيمان) Faith, Belief.
'Īnah:	(العينة) A kind of transaction. One form of it is that if a person asks someone to lend him a certain amount of money, he refuses the money in cash, but instead offers him an article at a higher price than his demand of the required money, and later on buys the same article from

him at a less price i.e., equal to the money he wants. In this way he makes him indebted for the difference. It shows that two things are the causes of Muslim disgrace — one is giving up of *Jihād* and the second is fraud and swindling.

Iqāmah: (الإقامة) The wording of *Adhān* is reduced so that the wording that is repeated twice in the *Adhān* is said once in *Iqāmah,* except the last phrase of *Allāhu Akbar,* and the prayer is offered immediately after the *Iqāmah.*

Iqāmatas-Salāt: (إقامة الصلاة) The performing of *As-Salāt* (the prayers). This is not understood by many Muslims. It means:

(A) Every Muslim, male or female, is obliged to offer his *Salāt* (prayers) regularly five times a day at the specified times; the male in a mosque in congregation and as for the female it is better to offer them at home. As the Prophet ﷺ has said: "Order your children to offer *Salāt* (prayers) at the age of seven and beat them (about it) at the age of ten". The chief (of a family, town, tribe) and the Muslim ruler of a country are held responsible before Allāh in case of non-fulfillment of this obligation by the Muslims under his authority.

(B) One must offer the *Salāt* (prayer) in a way just as Prophet Muhammad ﷺ used to offer it with all its rules and regulations, i.e. standing, bowing, prostrating, sitting as he ﷺ has said: "Offer your *Salāt* (prayer) the way you see me offer it." [*7246 – O.B.*] Please see *Ahādith* nos. 735, 736, 737, 756, 823, 824, *Sahih Al-Bukhāri* for the Prophet's way of offering *Salāt* (prayer), in the Book of Characteristics of the *Salāt* (prayer) and that the *Salāt* (prayer) begins with *Takbīr* (*Allāhu Akbar*) with the recitation of *Sūrat Al-Fātihah* etc. along with its various postures, standing, bowing, prostrations, sitting etc. and it ends with *Taslīm*.

'Ishā': (العشاء) Late evening *Salāt* (prayer). Its time starts about one and a half hour after sunset, till the middle of the night.

Istabraq: (إستبرق) Thick *Dībāj* (pure silk cloth).

Istihādah: (الاستحاضة) Any bleeding from the womb of a woman in between her normal periods. (See *Sahīh Al-Bukhāri, Hadīth* no. 306 and Chapter no. 10).

Istikhārah: (الاستخارة) A *Salāt* (prayer) consisting of two *Rak'ah* in which the praying person appeals to Allāh to guide him on the right way, regarding a certain matter he wants to undertake. (See *Hadīth* no. 1162, *Hadīth* no.6382, *Hadīth* no. 7390, *Sahib Al-Bukhāri*).

Istisqā': (الاستسقاء) A *Salāt* (prayer) consisting of two *Rak'ah*,

invoking Allāh for rain in seasons of drought.

I'tikāf: (الاعتكاف) Seclusion in a mosque for the purpose of worshipping Allāh only. The one in such a state should not have sexual relations with his wife, and one is not allowed to leave the mosque except for a very short period, and that is only for very urgent necessity e.g. answering the call of nature or joining a funeral procession etc.

Izār: (الإزار) A sheet worn below the waist to cover the lower-half of the body.

Jadha'ah: (الجذعة) A four-year-old she-camel.

Jahannam: (جهنم) Hell-fire.

Jahiliyyah: (الجاهلية) (i) Ignorance belonging to the period before the advent of the Prophet ﷺ. (ii) Un-Islamic practices which either existed or were inherited from the era before the advent of the Prophet ﷺ.

Jalsatul-Istirāhah: (جلسة الاستراحة) The brief sitting between rising up from a prostration position to the standing position in a prayer.

Jam': (الجمع) Al-Muzdalifah, a well-known place near Makkah.

Jamrah: (الجمرة) A small stone-built pillar in a walled place. There are three *Jamrah* situated at Mina. One of the ceremonies of *Hajj* is to throw pebbles at these *Jamrah* on the four days of *'Īd-al-Adha* at Mina.

Jamratul-'Aqabah: (الجمرة العقبة) One of the three stone-built pillars situated at Mina. It is situated at the entrance of Mina from the direction of Makkah.

Janābah: (الجنابة) The state of a person after having sexual intercourse with his wife or after having a sexual discharge in a wet dream. A person in such a state should perform *Ghusl* (i.e. have a bath) or do *Tayammum*, if a bath is not possible.

Janāzah: (الجنازة) (Plural: *Janā'iz* الجنائز) Funeral.

Jannah: (الجنة) Paradise.

Jihād: (الجهاد) Holy fighting in the Cause of Allāh or any other kind of effort to make Allāh's Word (i.e. Islam) superior. *Jihād* is regarded as one of the fundamentals of Islam. [See the footnote of (V.2:190) The Noble Qur'ān].

Jimār: (الجمار) Plural of *Jamrah*.

Jinn: (الجن) A creation, created by Allāh from fire, like human beings from dust, and angels from light.

Al-Ji'rānah: (الجعرانة) A place, few kilometers from Makkah. The Prophet ﷺ distributed the war booty of the battle of Hunain there, and from there he assumed the state of *Ihrām* to perform *'Umrah*.

Jizyah: (الجزية) Head tax imposed by Islam on all non-Muslims living under the protection of an Islamic government.

	[See *Sahīh Al-Bukhāri,* Chapter 1, and *Ahādīth* no. 3156, 3157, 3158 and 3159.]
Al-Juhfah:	(الجحفة) The *Mīqāt* of the people of Shām.
Jumu'ah:	(الجمعة) Friday.
Junub:	(الجنب) A person who is in a state of *Janāba*.
Jurhum:	(جرهم) Name of an Arab tribe.
Ka'bah:	(الكعبة) A square stone building in *Al-Masjid-al-Harām* (the great mosque at Makkah) towards which all Muslims face in *Salāt* (prayer).
Kafālah:	(الكفالة) The pledge given by somebody to a creditor to guarantee that the debtor will be present at a certain specific place to pay his debt or fine, or to undergo a punishment etc.
Kaffārah:	(الكفارة) Making atonement for uttering or committing an unlawful thing in Islam.
Kāfir:	(الكافر) (Plural: *Kuffār* الكفار). The one who disbelieves in Allāh, His Messengers, all the angels, all the holy Books, Day of Resurrection and in the *Al-Qadar* (Divine Preordainments).
Kanz:	(الكنز) Hoarded up gold, silver and money, the *Zakāt* of which has not been paid. (See the Qur'ān V. 9:34).
Katm:	(الكتم) A plant used for dyeing hair.
Al-Kauthar:	(الكوثر) A river in Paradise (see the Qur'ān, *Sūrah* no.108).
Al-Khamsah:	(الخمسة) The five compilers of *Ahadith* — Abu Dāwūd, Nasā'i, Tirmidhi, Ibn Mājah and Ahmad.
Khaibar:	(خيبر) An oasis and date-growing village, about 100 kilometers from Al-Madīnah. During the Prophet's time, it was inhabited by a Jewish tribe called Banū Nadīr. It was conquered by the Muslims in 5 H.
Khalifah:	(الخليفة) (Plural: *Khulafā* الخلفاء) Caliph, a successor, an Islamic term used for the first four rulers after the death of the Prophet ﷺ .
Khalīl:	(الخليل) The one whose love is mixed with one's heart and it is superior to a friend or beloved. The Prophet ﷺ had only one *Khalīl*, i.e. Allāh, but he had many friends.
Khamr:	(الخمر) Wine, Alcohol, intoxicant etc.
Khamīsah:	(الخميصة) A black woollen square blanket with marks on it.
Khandaq:	(الخندق) See *Ghazwatul-Khandaq.*
Kharāj:	(الخراج) *Zakāt* imposed on the yield of the land (1/10th or 1/20th).
Khawārij:	(الخوارج) The people who dissented from the religion and disagreed with the rest of the Muslims.
Khazīr or ***Khazīrah:***	(الخزير، الخزيرة) A special type of dish prepared from barley-flour, meat-soup, fat etc.
Khilafah:	(الخلافة) (i) Succession. (ii) Islamic leadership.
Khimār:	(الخمار) A piece of cloth with which a woman covers her

head and neck area.

Khuff: (الخف) Leather socks.

Khul': (الخلع) A kind of divorce in which a wife seeks divorce from her husband by giving him a certain compensation, or returning back the *Mahr* which he gave her.

Khumrah: (الخمرة) A small mat just sufficient for the face and the hands [on prostrating during *Salāt* (prayers)].

Khumus: (الخمس) One-fifth of war booty given in Allāh's Cause (The Qur'ān, V.8:41).

Khushū': (الخشوع) Humility before Allāh.

Khusūf: (الخسوف) Lunar eclipse.

Khutbah: (الخطبة) Religious talk (sermon).

Khutbatun-Nikāh: (خطبة النكاح) A speech delivered at the time of concluding the marriage contract.

Khuzā'ah: (الخزاعة) Banu Khuzā'ah, an Arabian tribe.

Kohl: (الكحل) Antimony eye powder.

Kūfah: (الكوفة) A town in 'Irāq.

Kufr: (الكفر) It is basically disbelief in any of the articles of Islamic Faith and they are: to believe in Allāh (God), His angels, His Messengers, His revealed Books, the Day of Resurrection, and *Al-Qadar* (i.e. Divine Preordainments whatever Allāh has ordained must come to pass).

Kunyah: (الكنية) Calling a man, 'O father of so-and-so!' or calling a woman, 'O mother of so-and-so!' This is a custom of the Arabs.

Kusūf: (الكسوف) Solar eclipse.

Labbaika wa sa'daika: (لبيك وسعديك) I respond to your call and I am obedient to your orders.

Lā ilāha illallāh: (لا إله إلا الله) None has the right to be worshipped but Allāh.

Lailatul-Qadr: (ليلة القدر) One of the odd last ten nights of the month of *Saum* (fasting) (i.e. Ramadān), Allāh تعالى describes it as better than one thousand months, and the one who worships Allāh during it by performing optional prayers and reciting the Noble Qur'ān, etc. will get a reward better than that of worshipping Him for one thousand months (i.e. 83 years and four months).[See the Qur'ān *Sūrat* 97 (V.97: 1-5)]. (See *Sahih Al-Bukhāri, Hadīth* no. 2014 and Chapter no.1).

Lāt and Uzza: (اللات والعزى) Well-known idols in Hijāz which used to be worshipped during the Pre-Islamic Period of Ignorance.

Li'ān: (اللعان) An oath which is taken by both the wife and the husband when the husband accuses his wife of committing illegal sexual intercourse. (The Qur'ān, *Sūrat An-Nūr*, 24:6,7,8,9,).

Luqatah: (اللقطة) Article or a thing (a pouch or a purse tied with a

string) found by somebody other than the owner who has lost it.

Ma'āfiri: (معافري) A type of garment of Yemen origin.

Al-Madīnah: (المدينة) Well-known city in Saudi Arabia, where the Prophet's Mosque is situated. It was formerly called Yathrib.

Maghāfīr: (المغافير) A bad smelling gum.

Al-Maghāzi: (المغازي) Plural of *Maghza,* i.e. holy battle; or the place where the battle took place; or the deeds and virtues of *Ghāzi* (fighters in Allāh's Cause)

Maghrib: (المغرب) Sunset, evening *Salāt* (prayer).

Mahr: (المهر) Bridal money given by the husband to the wife at the time of marriage.

Mahram: (المحرم) See *Dhu-Mahram.*

Makrūh: (المكروه) Not approved of, undesirable from the point of view of religion, although not punishable.

Mamlūk: (المملوك) A male slave.

Al-Manāsi': (المناصع) A vast plateau on the outskirts of Al-Madīnah.

Manāsik Al-Hajj wal-'Umrah: (مناسك الحج والعمرة) Acts connected with *Hajj* like *Ihrām; Tawāf* of the Ka'bah and *Sa'y* of As-Safa and Al-Marwah; stay at 'Arafat, Muzdalifah and Mina; *Ramy* (throwing pebbles) of *Jamarāt;* slaughtering of *Hady* (animal) etc. For details, see The Book of *Hajj* and *'Umrah, Sahih Al-Bukhāri*.

Manīhah: (المنيحة) (Plural: *Manā'ih*) A sort of gift in the form of a she-camel or a sheep which is given to somebody temporarily so that its milk may be used and then the animal is returned to its owner.

Maqām Ibrāhīm: (مقام إبراهيم) The stone on which Ibrāhīm (Abraham) عليه السلام stood while he and Ismā'īl (Ishmael) عليه السلام were building the Ka'ba.

Maqām Mahmūd: (المقام المحمود) A station of praise and glory, i.e. the honour of intercession on the Day of Resurrection. (See *Hadīth* no. 4718, *Sahih Al-Bukhāri*).

Al-Marwah: (المروة) A mountain in Makkah, neighbouring the Sacred Mosque (i.e. *Al-Masjid-al-Harām*)

Mā shā' Allāh: (ماشاء الله) An Arabic expression meaning literally, "What Allāh wills," and it indicates a good omen.

Al-Mash'aral-Harām: (المشعر الحرام) A sacred place at Muzdalifah.

Al-Masihad-Dajjāl: (المسيح الدجال) Pseudo Messiah or Antichrist (see the footnote of V.6:158 the Qur'ān and also *Hadīth* no. 3439, 3440 and 3441, *Sahih Al-Bukhāri*).

Masjid: (المسجد) Mosque.

Al-Masjidal-Aqsa: (المسجد الأقصى) The most sacred mosque in Jerusalem.

Al-Masjidal-Harām: (المسجد الحرام) The Sacred Mosque in Makkah. The Ka'ba is

situated in it.

Mathānī: (المثاني) Oft repeated Verses of the Qur'ān, and that is *Sūrat Al-Fātibah*, recited repeatedly in the *Salāt* (prayer).

Maulā: (المولى) It has many meanings. Some are: a manumitted slave, or a patron, protector, supporter, or master or the ***Rabb*** [Lord (Allāh)].

Maulāya: (مولاي) My lord, my master (an expression used when a slave addresses his master) (also used for freed slave).

Mauqūdhah: (الموقوذة) An animal beaten to death with a stick, a stone or the like without proper slaughtering.

Mawālī: (الموالي) Non-Arabs and originally former slaves.

Mayāthir: (المياثر) Silk cushions.

Mihjan: (المحجن) A walking stick with a bent handle.

Mijann: (المجن) A place at Makkah.

Mina: (منى) A pilgrimage place outside Makkah on the road to 'Arafāt. It is eight kilometers away from Makkah and about sixteen kilometers from 'Arafāt.

Mīqāt: (الميقات) (Plural: *Mawāqīt* المواقيت) One of the several places specified by the Prophet ﷺ for the people to assume *Ihrām* at, on their way to Makkah, when intending to perform *Hajj* or *'Umrah*.

Mi'rāj: (المعراج) The Ascent of the Prophet ﷺ to the heavens (by soul and body). (See *Hadīth* no. 349, *Hadīth* no. 3207 and *Hadīth* no.3887, *Sahih Al-Bukhāri*). [Also see (V.53:12) the Qur'ān]

Miswāk: (المسواك) A tooth brush made of *Arāk*-tree roots.

Mithqāl: (المثقال) A special kind of weight (equals 42/7 grams approx., used for weighing gold). It may be less or more. [20 *Mithqāl*= 94 grams approx.]

Mu'adhdhin: (المؤذن) A call-maker who pronounces the *Adhān* loudly calling people to come and perform the *Salāt* (prayer).

Mu'allafatul-Qulūb: (مؤلفة القلوب) New Muslims who were given *Sadaqah* by the Prophet ﷺ to keep them firm in the fold of Islam.

Mu'arras: (المعرس) A place nearer to Mina than Ash-Shajarah.

Mu'awwidhāt: (المعوذات) i.e. *Sūrat Al-Falaq* (113) and *Sūrat An-Nās* (114). [The Qur'ān].

Mubashshirāt: (المبشرات) Glad tidings. [See the footnote of (V. 10:64), *Sahīh Al-Bukhāri*, *Hadīth* no. 6990].

Mūbiqāt: (الموبقات) Great destructive sins.

Mudabbar: (المدبر) A slave who is promised by his master to be manumitted after the latter's death.

Mudd: (المد) A measure of two-thirds of a kilogram (approx.) It may be less or more.

Mufassal or ***Mufassalāt:*** (المفصل، المفصلات) The *Sūrah* starting from *Qāf* to the end of the Noble Qur'ān (i.e. from no. 50 to the end of the Qur'ān, no. 114).

Muhājir: (المهاجر) Anyone of the early Muslims who had migrated from any place to Al-Madīnah in the lifetime of the Prophet ﷺ before the conquest of Makkah and also the one who emigrates for the sake of Allāh and Islam and also the one who quits all those things which Allāh has forbidden.

Muhāqalah: (المحاقلة) It is selling un-harvested grain in the field with an already harvested grain like wheat.

Muharram: (المحرم) The first month of the Islamic calendar.

Al-Muhassab: (المحصب) A valley outside Makkah sometimes called Khaif Banī Kinanah.

Muhkam: (المحكم) Qur'ānic Verses the contents of which are not abrogated.

Muhrim: (المحرم) One who assumes the state of *Ihrām* for the purpose of performing the *Hajj* or *'Umrah*.

Muhrimah: (المحرمة) A female in the state of *Ihrām*.

Muhsar: (المحصر) A *Muhrim* who intends to perform the *Hajj* or *'Umrah* but cannot because of some obstacle.

Mujāhid: (المجاهد) (Plural: *Mujāhidūn*) A Muslim fighter in *Jihād*.

Mujazziz: (المجزز) A *Qā'if*: a learned man who reads the foot and hand marks.

Mujtahidūn: (المجتهدون) Independent religious scholars who do not follow religious opinions except with proof from the Qur'ān and the Prophet's *Sunnah*.

Mukātab: (المكاتب) A slave (male or female) who makes an agreement with the master to pay a certain ransom for his (or her) freedom.

Mukhadram: (المخضرم) (Plural: *Mukhadramun*) A person who became a Muslim during the Prophet's lifetime but did not see him.

Mulā'anah: (الملاعنة) The act of performing *Li'ān*.

Mulhidūn: (الملحدون) Heretics.

Musallā: (المصلى) A praying place.

Mushrikūn: (المشركون) Polytheists, pagans, idolaters and disbelievers in the Oneness of Allāh and His Messenger Muhammad ﷺ.

Mustahādah: (المستحاضة) A woman who has bleeding from the womb in between her normal periods.

Mutafahhish: (المتفحش) A person who conveys evil talk.

Mut'ah: (المتعة) A temporary marriage which was allowed in the early period of Islam when one was away from his home, but later on it was cancelled (abrogated).

Mu'takif: (المعتكف) One who is in a state of *I'tikāf*.

Mutashābihāt: (المتشابهات) Qur'ānic Verses which are not clear and are difficult to understand.

Mutras: (مترس) A Persian word meaning "don't be afraid."

Muttafaq 'Alaih: (متفق عليه) Meaning 'Agreed upon'. The term is used for such *Ahadith* which are found in both the collections of

Ahadith: *Bukhari* and *Muslim*.

Muttaqūn: (المتقون) The pious believers of Islamic Monotheism who fear Allāh much (abstain from all kinds of sins and evil deeds which He has forbidden) and love Allāh much (perform all kinds of good deeds which He has ordained).

Muwatta': (الموطأ) A *Hadīth* book compiled by Imām Mālik bin Anas, one of the four *Fiqh Imām*.

Muzābanah: (المزابنة) The sale of fresh dates for dried dates by measure, and the sale of fresh grapes for dried grapes by measure. In both cases, the dried fruits are measured while the fresh ones are only estimated as they are still on the trees.

Muzdalifah: (المزدلفة) A place between 'Arafāt and Mina where the pilgrims while returning from 'Arafāt, have to stop and stay for the whole night or greater part of it (the night), between the ninth and tenth of Dhul-Hijjah and to perform the *Maghrib* and *'Ishā'* prayers (together) there.

Nahr: (النحر) (Literal: slaughtering of the camels only and is done by cutting the carotid artery at the root of the neck); the day of *Nahr* is the tenth of Dhul-Hijjah on which pilgrims slaughter their sacrificial animals.

An-Najāshi: (النجاشي) (Title for the) king of Ethiopia (Abyssinia) — Negus.

An-Najsh: (النجش) A trick (of offering a very high price) for something without the intention of buying it but just to allure and cheat somebody else who really wants to buy it although it is not worth such a high price.

An-Najwa: (النجوى) The private talk between Allāh and each of His slaves on the Day of Resurrection. It also means a secret counsel or conference or consultation. [See the Qur'ān (V.58: 7-13), and also see the footnote of (V.11:18)].(See *Sahīh Al-Bukhāri, Hadīth* no. 2441).

Namīmah: (النميمة) (Calumnies) conveyance of disagreeable false information from one person to another to create hostility between them.

Naqīb: (النقيب) A person heading a group of six persons in an expedition; a tribal chief.

Nash: (النش) A measure of weight equal to 1/2 *Uqiyyah* (64 grams approximately).

Nawāfil: (النوافل) (Plural of *Nāfilah*) Optional practice of worship in contrast to obligatory *(Farīdah)*.

Nikāh: (النكاح) Marriage (wedlock) according to Islamic law.

Nisāb: (النصاب) Minimum amount of property liable to payment of the *Zakāt,* e.g. *Nisāb* of gold is twenty (20) *Mithqāl* i.e. approx. 94 grams; *Nisāb* of silver is two hundred (200) dirhams, i.e. approx. 640 grams; *Nisāb* of food-grains and fruit is 5 *Awsuq*, i.e. 673.5 kgms. *Nisāb* of camels is 5

camels; *Nisāb* of cows is 5 cows; and *Nisāb* of sheep is 40 sheep.

Nūn: (نون) Fish.

Nusub: (النصب) *An-Nusub* were stone alters at fixed places or graves, etc., whereon sacrifices were offered during fixed periods of occasions and seasons in the name of idols, jinn, angels, pious men, saints, in order to honour them, or to expect some benefit from them.

Nusuk: (النسك) Religious act of worship.

Qadar: (القدر) Divine Preordainment.

Qādi: (القاضي) A Muslim judge.

Qalīb: (القليب) A well.

Qāri': (القارىء) Early Muslim religious scholars were called *Qurrā'* (plural of *Qāri'* — this word is also used for a person who knows the Qur'ān by heart). The plural is *Qurrā'*. The *Qurrā'* were teachers of the early Muslims.

Qārin: (القارن) One who performs *Hajjal-Qirān*.

Qarnal-Manāzil: (قرن المنازل) The *Mīqāt* of the people of Najd. It is situated on the way to Makkah. (Now it is known as As-Sail-al-Kabeer)

Qasab: (القصب) Pipes made of gold, pearls and other precious stones.

Qassiyyi (القسي) A kind of cloth containing silk; some say it is called so because it is manufactured in Egypt at a place called *Qiss*.

Qatīfah: (القطيفة) Thick soft cloth.

Qattāt: (القتات) A person who conveys information from someone to another with the intention of causing harm and enmity between them. (*Sahīh Al-Bukhāri, Hadīth* No.6056).

Qiblah: (القبلة) The direction towards which all Muslims face in *Salāt* (prayers) and that direction is towards the Ka'bah in Makkah (Saudi Arabia).

Qīl wa Qāl: (قيل وقال) Sinful, useless talk (e.g. backbiting, lies, etc.).

Qintār: (القنطار) A weight-measure for food-grains, etc., e.g. wheat, maize, oat, barley (1 Qintar = 256.4 kg.).

Qīrāt: (القيراط) A special weight; sometimes a very great weight like Uhud mountain. 1 *Qīrat* = 1/2 *Dāniq* & 1 *Dāniq* = 1/6 Dirham.

Al-Qisās: (القصاص) Laws of equality in punishment for wounds etc. in retaliation.

Qithām: (القثام) A plant disease which causes fruit to fall before ripening.

Qiyām: (القيام) The standing posture in *Salāt* (prayer).

Qiyās: (القياس) Verdicts and judgements given by the Islamic religious scholars. These are given on the following proofs respectively:- (A) From the Qur'ān; (B) From the Prophet's

Sunnah. (C) From the unanimously accepted verdict of the *Mujtahidūn*; (D) *Qiyās:* i.e. the verdict given by a *Mujtahid* who considered the case similar in comparison with a case judged by the Prophet ﷺ. *Qiyās* is not to be practised except if the judgement of the case is not found in the first three above mentioned proofs, A, B and C.

Qubā': (القباء) A place on the outskirts of Al-Madīnah. The Prophet ﷺ established a mosque there, which bears the same name. A visit to that mosque on Saturday forenoon and offering a two *Rak'ah Salāt* (prayer) is regarded as a performance of *'Umrah* in reward according to the Prophet's saying.

Qumqum: (قمقم) A narrow-headed vessel.

Qunūt: (القنوت) An invocation in the *Salāt* (prayer).

Quraish: (قريش) One of the greatest tribes in Arabia in the Pre-Islamic Period of Ignorance. Prophet Muhammad ﷺ belonged to this tribe, which had great powers spiritually and financially both before and after Islam came.

Qurashi: (القرشي) A person belonging to the Quraish (well-known Arab) tribe.

Rabb: (الرب) There is no proper equivalent for *Rabb* in the English language. It means the One and the Only Lord for all the universe, its Creator, Owner, Organizer, Provider, Master, Planner, Sustainer, Cherisher, and Giver of security. *Rabb* is also one of the Names of Allāh. We have used the word "Lord" as nearest to *Rabb*. All occurrences of "Lord" actually mean *Rabb* and should be understood as such.

Rabbuka: (ربك) Your Lord, your Master.

Rabī'ul-Awwal: (ربيع الأول) Third month of the Islamic calendar.

Rāhilah: (الراحلة) A she-camel used for riding. (Literally means: a mount to ride).

Rahn: (الرهن) According to *Shari'ah, Ar-Rahn* (mortgage) means to give some property or belonging to a creditor as a security for payment of a loan or debt.

Raiyyān: (الريان) The name of one of the gates of Paradise through which the people who often observe *Saum* (fasts) will enter.

Rajab: (رجب) The seventh month of the Islamic calendar.

Ar-Raj'ah: (الرجعة) The bringing back of a wife by the husband after the first or second divorce.

Rajaz: (الرجز) Name of poetic metre.

Ar-Rajm: (الرجم) To stone to death those married persons who commit the crime of illegal sexual intercourse.

Rak'ah: (الركعة) The *Salāt* (prayer) of Muslims consists of *Rak'āt* (singular-*Rak'ah*, which is a unit of prayer and consists of

one standing, one bowing and two prostrations).

Ramadān: (رمضان) The month of observing *Saum* (fasts). It is the ninth month of the Islamic calendar. In it the Noble Qur'ān started to be revealed to our Prophet ﷺ and in it occurs the night of *Qadr* and in it also occurred the great decisive battle of Badr.

Ramal: (الرمل) Fast walking accompanied by the movements of the arms and legs to show one's physical strength. This is to be observed in the first three rounds of the *Tawāf* around the Ka'ba, and is to be done by the men only and not by the women.

Ramy: (الرمي) The throwing of pebbles at the *Jimār* at Mina.

Riba: (الربا) Usury, which is of two major kinds: (a) ***Riba Nasī'ah,*** i.e. interest on lent money; (b) ***Riba Fadl,*** i.e. taking a superior thing of the same kind of goods by giving more of the same kind of goods of inferior quality, e.g., dates of superior quality for dates of inferior quality in greater amount. Islam strictly forbids all kinds of usury.

Ridā': (الرداء) A piece of cloth (sheet) worn around the upper part of the body.

Rikāz: (الركاز) Buried wealth.

Rūhullah: (روح الله) According to the early religious scholars from among the Companions of the Prophet ﷺ and their students and the *Mujtahidūn*, there is a rule to distinguish between the two nouns in the genitive construction:

(A) When one of the two nouns is Allāh, and the other is a person or a thing, e.g., (i) Allāh's House (*Baitullah* بيت الله), (ii) Allāh's Messenger; (iii) Allāh's slave ('Abdullah' عبدالله); (iv) Allāh's spirit (*Rūhullāh* روح الله) etc.

The rule of the above words is that the second noun, e.g., House, Messenger, slave, spirit, etc. is created by Allāh and is honourable with Him and similarly Allāh's spirit may be understood as the spirit of Allāh, in fact, it is a soul created by Allāh, i.e. 'Īsā (Jesus), and it was His Word: "Be!" — and he was created (like the creation of Adam).

(B) But when one of the two is Allāh and the second is neither a person nor a thing, then it is not a created thing but is a quality of Allāh, e.g., (i) Allāh's Knowledge (*'Ilmullāh* علم الله); (ii) Allāh's Life (*Hayatullāh* حياة الله); (iii) Allāh's Statement (*Kalāmullāh* كلام الله); (iv) Allāh's Self (*Dhātullāh* ذات الله) etc.

Ruqba: (رقبى) It is the house which is gifted to someone for lifetime only to live at, and not as a belonging.

Ar-Ruqyah: (الرقية) (Incantation) Divine Speech recited as a means of

curing disease. (It is a kind of treatment, i.e. to recite *Sūrat Al-Fātihah* or any other *Sūrah* of the Qur'ān and then blow one's breath with saliva over a sick person's body-part).

Sā': (الصاع) A measure that equals four *Mudd* (3 kg. approx).

As-Saba: (الصبا) Easterly wind.

As-Sab'aal-Mathānī: (السبع المثاني) The seven repeatedly-recited Verses i.e. *Sūrat Al-Fātihah.* [See the Noble Qur'ān (V.15:87)].

As-Sab'ah: (السبعة) The seven compilers of *Ahadith* Bukhari, Muslim, Abū Dāwūd, Nasā'i, Tirmidhi, Ibn Mājah and Ahmad.

Sabāhāh: (صباحاه) An exclamation indicating an appeal for help.

Sābi'ūn: (الصابئون) A people who lived in Iraq and used to say *Lā ilāha illallāh* (none has the right to be worshipped but Allāh) and used to read *Az-Zabūr* (the Psalms of the *Sābi'ūn*) and they were neither Jews nor Christians.

Sa'dān: (السعدان) A thorny plant suitable for grazing animals.

Sadaqah: (الصدقة) Anything given in charity.

***Safa* and *Marwah*:** (الصفا والمروة) Two mountains at Makkah neighbouring *Al-Masjid-al-Harām* (the Sacred Mosque) to the east. One who performs *'Umrah* and *Hajj* should walk seven times between these two mountains and that is called *Sa'y.*

Sahbā': (صهباء) A place near Khaibar.

Sahihain: (الصحيحين) The two *Hadīth* books of Imam Bukhari and Muslim.

Sahūr: (السحور) A meal taken at night before the *Fajr* (morning) prayer by a person observing *Saum* (fast).

Sahw: (السهو) Forgetting (here it means forgetting how many *Rak'at* a person has prayed in which case he should perform two prostrations of *Sahw*).

As-Sā'ibah: (السائبة) A she-camel which used to be let loose for free pastures in the name of idols, gods, and false deities. (See the Noble Qur'ān V.5:103).

Sakīnah: (السكينة) Tranquillity, calmness, peace and reassurance.

Salab: (السلب) Belongings (arms, horse, etc.) of a deceased warrior killed in a battle.

As-Salāt: (الصلاة) See *Iqāmatas-Salāt.*

Sami' Allāhu liman hamidah: (سمع الله لمن حمده) Allāh hears him who praises Him.

Samur: (السمر) A kind of tree.

Sarif: (سرف) A place about ten kilometers away from Makkah.

Sarīyyah: (السرية) A small army-unit sent by the Prophet ﷺ for *Jihād*, without his participation in it.

As-Saum: (الصوم) The fasting, i.e., not to eat or drink or have sexual relations from before the *Adhān* of the *Fajr* (early morning) prayer till the sunset.

Sawīq: (السويق) A kind of mash made of powdered roasted wheat

or barley grain (also with sugar and dates).

Sa'y: (السعي) The going for seven times between the mountains of As-Safā and Al-Marwah in Makkah during the performance of *Hajj* and *'Umrah.*

Sha'bān: (شعبان) The eighth month of the Islamic calendar.

Ash-Shahādah: (الشهادة) (i) Testimony of Faith. (ii) "None has the right to be worshipped but Allāh, and Muhammad ﷺ is the Messenger of Allāh."

Shām: (الشام) The region comprising Syria, Palestine, Lebanon and Jordan.

Shawwāl: (شوال) The tenth month of the Islamic calendar.

Shighār: (الشغار) A type of marriage in which persons exchange their daughters or sisters in marriage without *Mahr*.

Ash-Shiqāq: (الشقاق) Difference between husband and wife or any two persons.

Shirk: (الشرك) Polytheism and it is to worship others along with Allāh.

Shuf'ah: (الشفعة) Pre-emption.

Siddīq and ***Siddīqūn:*** (الصديق والصديقون) Those followers of the Prophets who were first and foremost to believe in them (See the Qur'ān, V.4:69).

Sidr: (السدر) Lote tree (or *Nabiq* tree).

Sidratul-Muntaha: (السدرة المنتهى) A *Nabiq* tree over the seventh heaven near the Paradise (the lote tree of the utmost boundary)

Siffīn (battle of): (صفين) A battle that took place at Siffin between 'Alī's followers and Mu'āwiyah's followers after the killing of 'Uthmān رضي الله عنه .

As-Sihāh As-Sittah: (الصحاح الستة) The six books of *Ahadith:* Compiled by Bukhari, Muslim, Abū Dāwūd, Nasā'i, Tirmidhi and Ibn Mājah.

As-Sirāt: (الصراط) *Sirāt* originally means 'a road'; it also means the bridge that will be laid across Hell-fire for the people to pass over on the Day of Judgement. It is described as sharper than a sword and thinner than a hair. It will have hooks over it to snatch the people.

As-Sittah: (الستة) The six compilers of *Ahadith* — Bukhari, Muslim, Abū Dāwūd, Nasā'i, Tirmidhi, Ibn Mājah; and their six collections are called *Sihah Sittah.*

Siwāk: (السواك) A piece of a root of a tree called *Al-Arāk,* used as a toothbrush.

Subhān Allāh: (سبحان الله) Glorified is Allāh.

Sundus: (السندس) A kind of silk cloth.

Sunnah: (السنة) The legal way or ways, orders, acts of worship and statements of the Prophet ﷺ, that have become models to be followed by the Muslims.

Sutrah: (السترة) An object like a pillar, wall or stick, a spear etc., the

height of which should not be less than a foot and it should be in front of a person offering *Salāt* (prayer) to act as a symbolical barrier between him and the others.

Tābah: (الطابة) Another name for Al-Madīnah Al-Munawwarah.

Tābi'i: (التابعي) One who has met or accompanied any Companion of the Prophet ﷺ .

Tabūk: (تبوك) A well-known town about 700 kilometers north of Al-Madīnah.

Tāghūt: (الطاغوت) The word *Tāghūt* covers a wide range of meanings: it means anything worshipped other than the Real God (Allāh), i.e. all the false deities. It may be Satan, devils, idols, stones, sun, stars, angels, human beings, who were falsely worshipped and taken as *Tāghūt*. Likewise saints, graves, rulers, leaders, are falsely worshipped, and wrongly followed. [See *Tafsir Ibn Kathir* and (V.2:51)].

Tahajjud: (التهجد) Night optional prayer offered at any time after *'Ishā'* prayer and before the *Fajr* prayer.

Tahnīk: (التحنيك) It is the Islamic customary process of chewing a piece of date etc. and putting a part of its juice in the child's mouth and pronouncing *Adhān* in child's ears. (See *Sahīh Al-Bukhāri,* the Book of *'Aqīqah*).

Taibah: (الطيبة) One of the names of Al-Madīnah city.

Tā'if: (الطائف) A well-known town near Makkah.

Takbīr: (التكبير) Saying *Allāhu-Akbar* (Allāh is the Most Great).

Takbīrah: (التكبيرة) A single utterance of *Allāhu-Akbar*

Talbīnah: (التلبينة) A dish prepared from flour and honey.

Talbiyah: (التلبية) Saying *Labbaik, Allāhumma Labbaik* (O Allāh! I am obedient to Your Orders, I respond to Your Call).

At-Tan'īm: (التنعيم) A place towards the north of Makkah outside the sanctuary from where Makkans may assume the state of *Ihrām* to perform *'Umrah.*

Taqlīd: (التقليد) Putting coloured garlands around the necks of *Budn* (animals for sacrifice).

Tarāwīh: (التراويح) Optional *Salāt* (prayers) offered after the *'Ishā'* prayers on the nights of Ramadān. These may be performed individually or in congregation.

Tarji': (الترجيع) Repetition of the words of the *Adhān* twice by the *Mu'adhdhin* (call-maker).

Tashahhud: (التشهد) The recitation of the invocation: *At-tahiyātu lillāhi*... (up to) ... *wa ash-hadu anna Muhammadan Rasūlullāh",* while in *Qu'ūd,* i.e. sitting posture in *Salāt* (prayer). [See *Sahīh Al-Bukhāri, Hadīth* no. 831, and it also means: to testify *Lā ilāha illallāh Muhammadun Rusūl Allāh* (none has the right to be worshipped but Allāh and Muhammad is the Messenger of Allāh).

Taslīm: (التسليم) On finishing the *Salāt* (prayer), one turns one's face to the right and then to the left saying, ***Assalāmu 'Alaikum wa Rahmatullāh*** (Peace and Mercy of Allāh be on you).

Tauhīd (Islamic Monotheism):

(التوحيد) *Tauhid* (Islamic Monotheism) is to believe in the following six Articles of Faith:

(1) Allāh, (2) His Angels, (3) His Messengers, (4) His revealed Books, (5) The Day of Resurrection, and (6) *Al-Qadar* (Divine Preordainments, i.e., whatever Allāh has ordained must come to pass).

And to act on the following five Principles of Islam.

(1) To testify *Lā ilāha illallāh, wa anna Muhammad-ur-Rasūl Allāh* (none has the right to be worshipped but Allāh and that Muhammad is the Messenger of Allāh), (2) to offer the (compulsory congregational) prayers dutifully and perfectly (*Iqāmat As-Salāt*), (3) to pay *Zakāt*, (4) to perform *Hajj* (i.e., pilgrimage to Makkah), and (5) to observe *Saum* (fast) during the month of Ramadān.

And to believe in Allāh means declaring Allāh to be the only God in the heavens and the earth and all that exists. It has three aspect; (A), (B) and (C):

(A) Oneness of the Lordship of Allāh; *Tauhīdar-Rubūbiyyah:* To believe that there is only one Lord for all the universe and He is its Creator, Organizer, Planner, Sustainer, and the Giver of security, and that is Allāh.

(B) Oneness of the worship of Allāh; *Tauhīdal-Ulūhiyyah:* To believe that none has the right to be worshipped [e.g. praying, invoking, asking for help (from the unseen), swearing, slaughtering sacrifices, giving charity, fasting, pilgrimage, etc.], but Allāh.

(C) Oneness of the Names and the Qualities of Allāh; *Tauhīd-al-Asmā' was-Sifāt:* To believe that : (i) we must not name or qualify Allāh except with what He or His Messenger ﷺ has named or Qualified Him; (ii) none can be named or qualified with the Names or Qualifications of Allāh; e.g. *Al-Karīm*; (iii) we must believe in all the Qualities of Allāh which Allāh has stated in His Book (the Qur'ān) or mentioned through His Messenger (Muhammad ﷺ) without changing their meaning or ignoring them completely or twisting the meanings or giving resemblance to any of the created things; e.g. Allāh is present over His Throne as mentioned in the Qur'ān. (V.20:5): "The Most Gracious (i.e. Allāh) rose over (*Istawa*) the (Mighty) Throne" over the seventh heaven; and He comes down over the first (nearest) heaven (to us)

during the day of 'Arafah (*Hajj*, i.e. 9th Dhul-Hijjah) and also during the last third part of the night, as mentioned by the Prophet ﷺ, but He is with us by His Knowledge, not by His Personal Self (*Bi-Dhātihi*), "There is nothing like Him, and He is the All-Hearer, the All-Seer." (The Qur'ān, V. 42:11).

This Noble Verse proves the quality of hearing and the quality of sight for Allāh without likening it (or giving resemblance) to others; and likewise He also says:

"To one whom I have created with Both My Hands," (The Qur'ān, V. 38:75); and He also says:

"The Hand of Allāh is over their hands.": (V. 48:10, the Qur'ān). This confirms two Hands for Allāh, but there is no similarity for them.

This is the Faith of all true believers, and was the Faith of all the Prophets of Allāh from Nūh (Noah), Ibrāhīm (Abraham), Mūsa (Moses) and 'Īsā (Jesus) till the last of the Prophets, Muhammad ﷺ. It is not like as some people think that Allāh is present everywhere, here, there and even inside the breasts of men.

These three aspects of *Tauhīd* are included in the meanings of *Lā ilāha illallāh* (none has the right to be worshipped but Allāh).

It is also essential to follow Allāh's Messenger Muhammad ﷺ : *Wajūb Al-Ittibā'* and it is a part of *Tauhīd-al-Ulūhiyyah*. This is included in the meaning: "I testify that Muhammad ﷺ is the Messenger of Allāh" and this means, "None has the right to be followed after Allāh's Book (the Qur'ān), but Allāh's Messenger ﷺ." [See the Qur'ān (V. 59:7) and (V. 3:31)].

Tawāf: (الطواف) The circumambulation of the Ka'ba.

Tawāfal-Ifādah: (طواف الإفاضة) The circumambulation of the Ka'bah by the pilgrims after they come from Mina on the tenth day of Dhul-Hijjah. This *Tawāf* is one of the essential ceremonies (*Rukn*) of the *Hajj*.

Tawāful-Wadā': (طواف الوداع) The *Tawāf* made before leaving Makkah after performing *Hajj* or *'Umrah*.

Tayammum: (التيمم) To put or strike lightly the hands over clean earth and then pass the palm of each on the back of the other, blow off the dust and then pass them on the face. This is performed instead of ablution (*Wudū'*) and *Ghusl* (in case of *Janaba*).

Ath-Thalathah: (الثلاثة) The three compilers of *Ahadith* — Abū Dāwūd, Nasa'i and Tirmidhi.

Thaniyatal-Wadā': (ثنية الوداع) A place near Al-Madīnah.

Tharīd: (الثريد) A kind of meal, prepared from meat and bread.

Thaur: (الثور) A well-known mountain in Al-Madīnah.

Tulaqā': (الطلقاء) Those persons who had embraced Islam on the day of the conquest of Makkah.

Tūr: (الطور) A mountain.

Uhud: (أحد) A well-known mountain in Al-Madīnah. One of the great battles in the Islamic history took place at its foot. This battle is called *Ghazwah* Uhud.

'Umrah: (العمرة) A visit to Makkah during which one performs the *Tawāf* round the Ka'ba and the *Sa'y* between As-Safā and Al-Marwah. It is also called 'lesser *Hajj*'. (See *Sahih Al-Bukhāri,* the Book of *Al-'Umrah*).

'Urfut: (العرفط) The tree which produces *Maghāfīr.*

'Ushr: (العشر) One-tenth of the yield of land to be levied for public assistance (*Zakāt*). (See *Sahīh Al-Bukhāri, Hadīth* no. 1483).

Wahy: (الوحي) The Revelation or Inspiration of Allāh to His Prophets.

Waihaka: (ويحك) 'May Allāh be Merciful to you.'

Wailaka: (ويلك) 'Woe upon you!'

Walā': (الولاء) *Al-Walā'* is a right to inherit the property of a freed slave to the person who has freed him. *Ahadīth* has made it clear that *Walā'* is a part like a lineage. It cannot be sold or gifted, so selling it or offering it as a gift is prohibited.

Walī: (الولي) (Plural *Auliyā'*) Protector, guardian, supporter, helper, friend.

Walīmah: (الوليمة) The marriage feast.

Waqf: (الوقف) Religious endowment.

Wars: (الورس) A kind of shrub used for colouring yellow.

Wasāyā: (الوصايا) Wills or testaments. (Singular: *Wasiyyah* الوصية)

Al-Wāsil: (الواصل) One who keeps good relations with his kith and kin.

Wasilah: (الوسيلة) The means of approach or achieving closeness to Allāh by getting His favours.

Wasq: (الوسق) (Plural: *Awsaq* or *Awsuq*) A measure equal to 60 *Sā'*=180 kg. approx. It may be less or more.

Wisāl: (الوصال) Observing *Saum* (fast) for more than one day continuously.

Witr: (الوتر) An odd number of *Rak'at* with which one finishes one's *Salāt* (prayers) at night after the night prayer or the *'Ishā'* prayer.

Wudū': (الوضوء) Ablution, which is washing the face and the hands up to the elbows, wiping the head and ears with wet fingers, and washing the feet up to ankles for the purpose of offering prayers or doing circumambulation round the Ka'ba.

Yalamlam: (يلملم) The *Mīqāt* of the people of Yemen.

Yaqīn: (اليقين) Perfect absolute Faith.

Yarmūk: (اليرموك) A place in Shām.

Yathrib: (يثرب) One of the names of Al-Madīnah.

Yaum-An-Nafr: (يوم النفر) The 12th or 13th of *Dhul-Hijjah* when the pilgrims leave Mina after performing all the ceremonies of *Hajj* at 'Arafāt, Al-Muzdalifah and Mina.

Yaum An-Nahr: (يوم النحر) The day of slaughtering the sacrificial animals, i.e., the 10th of Dhul-Hijjah.

Yaum-Ar-Ru'ūs: (يوم الرؤوس) Meaning 'day of heads'. It is the name of the day following the *'Īd* day (*'Īd-al-Adha*).

Yaum At-Tarwiyah: (يوم التروية) The eighth day of the month of Dhul-Hijjah, when the pilgrims leave Makkah for Mina.

Zakāt: (الزكاة) (Obligatory charity) A certain fixed proportion of the wealth and of every kind of the property liable to *Zakāt* of a Muslim to be paid yearly for the benefit of the poor in the Muslim community. The payment of *Zakāt* is obligatory as it is one of the five pillars of Islam. *Zakāt* is the major economic means for establishing social justice and leading the Muslim society to prosperity and security.[See *Sahīh Al-Bukhāri,* the Book of *Zakāt*]

Zakātul-Fitr: (زكاة الفطر) An obligatory *Sadaqah* to be given by Muslims before the prayer of *'Īd-al-Fitr* (See *Sahīh Al-Bukhāri.* The Book of *Zakāt*).

Zamzam: (زمـزم) The sacred well inside the *Haram* (the grand mosque) at Makkah.

Zanādiqah: (الزنادقة) Atheists.

Zarnab: (زرنب) A kind of good smelling grass.

Az-Zihār: (الظهار) One's telling to his wife, "You are unlawful to me for cohabitation like my mother."

Zuhr: (الظهر) Noon, mid-day *Salāt* (prayer) is called *Zuhr* prayer.

رابطة العالم الإسلامي

MUSLIM WORLD LEAGUE

الإدارة العامة للإعلام والثقافة